A/59/49 (Vol. I)

United Nations

Resolutions
and
Decisions

adopted by the General Assembly during its fifty-ninth session

Volume I

Resolutions

14 September – 23 December 2004

General Assembly
Official Records • Fifty-ninth Session
Supplement No. 49 (A/59/49)

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United Nations • New York, 2005

NOTE

The resolutions and decisions of the General Assembly are identified as follows:

Regular sessions

Until the thirtieth regular session, the resolutions of the General Assembly were identified by an arabic numeral followed by a roman numeral in parentheses indicating the session (for example: resolution 3363 (XXX)). When several resolutions were adopted under the same number, each of them was identified by a capital letter placed between the two numerals (for example: resolution 3367 A (XXX), resolutions 3411 A and B (XXX), resolutions 3419 A to D (XXX)). The decisions were not numbered.

Since the thirty-first session, as part of the new system adopted for symbols of General Assembly documents, resolutions and decisions have been identified by an arabic numeral, indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution 31/1, decision 31/301). When several resolutions or decisions were adopted under the same number, each of them has been identified by a capital letter placed after the two numerals (for example: resolution 31/16 A, resolutions 31/6 A and B, decisions 31/406 A to E).

Special sessions

Until the seventh special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letter "S" and a roman numeral indicating the session (for example: resolution 3362 (S-VII)). The decisions were not numbered.

Since the eighth special session, resolutions and decisions have been identified by the letter "S" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution S-8/1, decision S-8/11).

Emergency special sessions

Until the fifth emergency special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letters "ES" and a roman numeral indicating the session (for example: resolution 2252 (ES-V)). The decisions were not numbered.

Since the sixth emergency special session, resolutions and decisions have been identified by the letters "ES" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution ES-6/1, decision ES-6/11).

In each of the series described above, the numbering follows the order of adoption.

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The present volume contains the resolutions adopted by the General Assembly from 14 September to 23 December 2004, as well as the information requested by the Assembly in section C, paragraph 3, of its resolution 54/248 of 23 December 1999. Decisions adopted by the Assembly during this period appear in volume II. Resolutions and decisions adopted subsequently during the fifty-ninth session will be published in volume III.

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RESOLUTION 59/2

Adopted at the 37th plenary meeting, on 20 October 2004, without a vote, on the basis of draft resolution A/59/L.4 and Add.1, as orally revised, sponsored by: Austria, Canada, Chile, Mexico, Netherlands, Nigeria, Peru, Romania, Sweden

59/2. Review of the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space

The General Assembly,

Recalling its resolutions 54/68 of 6 December 1999, 55/122 of 8 December 2000, 56/51 of 10 December 2001, 57/116 of 11 December 2002 and 58/90 of 9 December 2003, concerning the review and appraisal by the General Assembly at its fifty-ninth session of the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), held in Vienna from 19 to 30 July 1999,[1]

Reaffirming the importance of international cooperation in increasing benefits of the exploration and use of outer space to enhance human development,

Stressing the importance of implementing the resolution adopted by UNISPACE III entitled "The Space Millennium: Vienna Declaration on Space and Human Development",[1] which contains a strategy to address global challenges through the use of space science and technology and their applications,

Recalling the unique organizational aspects of UNISPACE III, which allowed for active contributions by non-governmental organizations, industry and youth to the outcome of UNISPACE III while organizing the Conference within existing resources,[2]

Recognizing that responsibility for implementing the recommendations of UNISPACE III rests with Member States, the Office for Outer Space Affairs of the Secretariat, under the guidance of the Committee on the Peaceful Uses of Outer Space and its subsidiary bodies, intergovernmental organizations for multilateral cooperation and other entities with space-related activities, including non-governmental entities, and the young generation,

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the review of the implementation of the recommendations of UNISPACE III,[3]

Noting with interest that the structure of the agendas of the Scientific and Technical Subcommittee and Legal Subcommittee as revised by the Committee at its forty-second session,[4] as well as the action teams established by the Committee at its forty-fifth and forty-seventh sessions, under voluntary leadership by Member States, served as unique mechanisms to revitalize the work of the Committee and its subsidiary bodies and to implement the recommendations of UNISPACE III,[5]

Expressing its appreciation to the Member States and organizations that participated in the action teams, in particular to the chairpersons of the action teams,

Noting that the establishment of action teams to implement the recommendations of UNISPACE III could be considered by other bodies of the United Nations as a very useful mechanism for implementing results of other major conferences held within the United Nations system,

Noting with satisfaction that the implementation of the recommendations of UNISPACE III contributes to the implementation of the results of global conferences held within the United Nations system, in particular the Millennium Summit, the World Summit on Sustainable Development and the World Summit on the Information Society,[6]

1. *Takes note with satisfaction* of the report of the Committee on the Peaceful Uses of Outer Space on the review of the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III);[3]

2. *Expresses its appreciation* for the work conducted by the Committee and its subsidiary bodies as well as the Office for Outer Space Affairs in the five years since the holding of UNISPACE III to implement the recommendations of the Conference;

3. *Notes with appreciation* the work of the working group established by the Committee in preparing and finalizing the above-mentioned report;

4. *Endorses* the Plan of Action as proposed by the Committee in its report;[7]

5. *Urges* all Governments, entities of the United Nations system as well as intergovernmental and non-governmental entities conducting space-related activities to carry out the actions contained in the Plan of Action, mentioned in paragraph 4 above, on a priority basis for the further implementation of the recommendations of UNISPACE III, in

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[1] See *Report of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 19–30 July 1999* (United Nations publication, Sales No. E.00.I.3), chap. I, resolution 1.

[2] See A/C.4/54/9.

[3] See A/59/174.

[4] Ibid., paras. 24 and 25. See also *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 20* and corrigendum (A/54/20 and Corr.1), annex I.

[5] See A/59/174, paras. 29 and 30.

[6] Ibid., sect. IV.

[7] Ibid., sect. VI.B.

particular its resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development";[1]

6. *Notes* that the Committee will implement some of the actions contained in the Plan of Action through the consideration of items of the agendas of the Committee or its subsidiary bodies and through those action teams that will continue their work as endorsed by the Committee;

7. *Requests* the Committee to examine the contributions that could be made by space science and technology and their applications to one or more of the issues selected by the Commission on Sustainable Development as a thematic cluster and to provide substantive inputs for consideration by the Commission;

8. *Also requests* the Committee to include items in the agendas of its future sessions, starting from its forty-ninth session, in 2006, to consider its contributions to the work of those entities that are responsible for convening United Nations conferences and/or for implementing their outcomes;

9. *Agrees* that a study should be conducted on the possibility of creating an international entity to provide for coordination and the means of realistically optimizing the effectiveness of space-based services for use in disaster management and that the study should be prepared by an ad hoc expert group, with experts to be provided by interested Member States and relevant international organizations, and requests the Committee to review progress in the work of the ad hoc expert group, at its forty-eighth session, in 2005;[8]

10. *Calls upon* Member States to make contributions to the Trust Fund for the United Nations Programme on Space Applications before the end of 2004 for the purpose of preparing the study by the ad hoc expert group mentioned in paragraph 9 above;

11. *Invites* Global Navigation Satellite System (GNSS) and augmentation providers to consider establishing an international committee on GNSS as proposed in the Plan of Action[9] in order to maximize the benefits of the use and applications of GNSS to support sustainable development;

12. *Encourages* Member States to provide support to implement the Space Programme of the World Meteorological Organization and its Long-term Strategy, as proposed in the Plan of Action,[10] in order to expand international cooperation in meteorological satellite applications to enhance weather and climate forecasting;

13. *Requests* the Secretary-General to undertake necessary measures to strengthen the role of the Office for Outer Space Affairs in implementing the recommendations of UNISPACE III,[11] particularly with a view to achieving the following objectives:

(*a*) Strengthening the capacity-building activities of the Office in space law by, inter alia, continuing to organize the series of workshops on space law and developing a model education curriculum for a short-term course on space law;

(*b*) Strengthening the technical advisory services of the Office to support the operational use of space technologies, in particular in response to actions called for in the Plan of Action;

(*c*) Requesting the Committee to undertake further implementation of UNISPACE III recommendations with a view to enhancing the capacity of developing countries to initiate space application programmes;

14. *Agrees* that the activities of the United Nations Programme on Space Applications should be clustered, to the extent feasible, to address a few priority themes to be selected by the Committee for each year;

15. *Also agrees* that the Office for Outer Space Affairs should review the activities that are included in the Plan of Action for implementation by the Office and submit its proposal to the Committee at its forty-eighth session, in 2005, on how those activities could be included in its programme of work;

16. *Requests* the Secretary-General to implement activities of the Office for Outer Space Affairs as contained in the Plan of Action and to ensure that those activities are included in the programme of work for the biennium 2006–2007;

17. *Encourages* all Member States and space-related intergovernmental and non-governmental entities to contribute to the Trust Fund for the United Nations Programme on Space Applications while allowing full flexibility for the Office for Outer Space Affairs to carry out the activities of the Programme in accordance with the priorities set by the Committee;

18. *Agrees* that the Committee should continue to consider, in its future sessions, starting with its forty-eighth session, the implementation of the recommendations of UNISPACE III until the Committee considers that concrete results are achieved.

RESOLUTION 59/3

Adopted at the 40th plenary meeting, on 22 October 2004, without a vote, on the basis of draft resolution A/59/L.1 and Add.1, sponsored by: Australia, Bangladesh, China, Cyprus, Egypt, Ghana, India, Indonesia, Iran (Islamic Republic of), Japan, Jordan, Kenya, Malaysia, Mongolia, Myanmar, Nigeria, Republic of Korea, Sierra Leone, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo

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[8] Ibid., paras. 256–261.

[9] Ibid., para. 267.

[10] Ibid., para. 273.

[11] Ibid., paras. 321 and 322.

59/3. Cooperation between the United Nations and the Asian-African Legal Consultative Organization

The General Assembly,

Recalling its resolutions 36/38 of 18 November 1981, 37/8 of 29 October 1982, 38/37 of 5 December 1983, 39/47 of 10 December 1984, 40/60 of 9 December 1985, 41/5 of 17 October 1986, 43/1 of 17 October 1988, 45/4 of 16 October 1990, 47/6 of 21 October 1992, 49/8 of 25 October 1994, 51/11 of 4 November 1996, 53/14 of 29 October 1998, 55/4 of 25 October 2000 and 57/36 of 21 November 2002,

Having considered the report of the Secretary-General on cooperation between the United Nations and the Asian-African Legal Consultative Organization,[12]

Having heard the statement made by the Secretary-General of the Asian-African Legal Consultative Organization on the steps taken by the Consultative Organization to ensure continuing, close and effective cooperation between the two organizations,[13]

Acknowledging in particular the close interaction between the Consultative Organization and the Sixth Committee,

1. *Takes note with appreciation* of the report of the Secretary-General;[12]

2. *Notes with satisfaction* the continuing efforts of the Asian-African Legal Consultative Organization towards strengthening the role of the United Nations and its various organs in enhancing the rule of law and wider adherence to related international instruments;

3. *Also notes with satisfaction* the commendable progress achieved towards enhancing cooperation between the United Nations, its agencies, other international organizations and the Consultative Organization;

4. *Notes with appreciation* the work of the Consultative Organization aimed at strengthening the efforts of the United Nations in respect of issues such as combating corruption, international terrorism and trafficking, as well as human rights issues;

5. *Also notes with appreciation* the initiative and efforts the Consultative Organization has undertaken to promote the objectives and principles set out in the United Nations Millennium Declaration,[14] including wider acceptance of treaties deposited with the Secretary-General;

6. *Recommends* that, with a view to promoting close interaction between the Consultative Organization and the Sixth Committee, the consideration of the sub-item entitled "Cooperation between the United Nations and the Asian-African Legal Consultative Organization" should be scheduled to coincide with the deliberations of the Committee on the work of the International Law Commission;

7. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on cooperation between the United Nations and the Consultative Organization;

8. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Asian-African Legal Consultative Organization".

RESOLUTION 59/4

Adopted at the 40th plenary meeting, on 22 October 2004, without a vote, on the basis of draft resolution A/59/L.3 and Add.1, sponsored by: Afghanistan, Azerbaijan, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Pakistan, Tajikistan, Turkey, Turkmenistan, Uzbekistan

59/4. Cooperation between the United Nations and the Economic Cooperation Organization

The General Assembly,

Recalling its resolution 48/2 of 13 October 1993, by which it granted observer status to the Economic Cooperation Organization,

Recalling also its previous resolutions on cooperation between the United Nations and the Economic Cooperation Organization, and inviting various specialized agencies as well as other organizations and programmes of the United Nations system and relevant international financial institutions to join in their efforts towards realization of the goals and objectives of the Economic Cooperation Organization,

Welcoming the efforts of the Economic Cooperation Organization with regard to consolidating ties with the United Nations system and relevant international and regional organizations,

1. *Takes note with appreciation* of the report of the Secretary-General on the implementation of resolution 57/38 of 21 November 2002,[15] and expresses satisfaction at the enhanced cooperation between the United Nations and the Economic Cooperation Organization;

2. *Takes note* of the Dushanbe Declaration, adopted at the eighth Economic Cooperation Organization summit on 14 September 2004, following the fourteenth meeting of the Council of Ministers in Dushanbe on 12 September 2004;

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[12] See A/59/303, part two.

[13] See *Official Records of the General Assembly, Fifty-ninth Session, Plenary Meetings*, 40th meeting (A/59/PV.40), and corrigendum.

[14] See resolution 55/2.

[15] See A/59/303, part four.

3. *Stresses* the importance of cooperation between the United Nations and the Economic Cooperation Organization with regard to the provision of financial and technical cooperation for pre-feasibility and feasibility studies of projects of the Economic Cooperation Organization, consultancy services, information on drug control, training courses on trade and investment by the specialized agencies of the United Nations, including the United Nations Development Programme, the Economic and Social Commission for Asia and the Pacific, the Food and Agriculture Organization of the United Nations, the United Nations Office on Drugs and Crime, the United Nations Conference on Trade and Development, the International Trade Centre UNCTAD/WTO and the United Nations Industrial Development Organization, in the ongoing and future activities of the Economic Cooperation Organization;

4. *Notes with appreciation* the implementation of the ongoing project of the Economic Cooperation Organization and the International Trade Centre on expanding intraregional trade, and stresses the importance of the continuation of the second phase of the project;

5. *Also notes with appreciation* the signing of the Economic Cooperation Organization Trade Agreement in Islamabad in July 2003, and stresses its importance in the accomplishment of the goal of establishing a free trade area in the region;

6. *Further notes with appreciation* the holding of the second Economic Cooperation Organization Regional Trade and Investment Conference, and the seventh General Assembly Meeting of Economic Cooperation Organization Chambers of Commerce and Industry, in Kabul, from 18 to 20 April 2004, and stresses the close interaction in the field of trade and investment between the Economic Cooperation Organization and trade-related agencies and bodies of the United Nations;

7. *Notes with appreciation* the memorandum of understanding signed by the Economic Cooperation Organization and the World Customs Organization on 17 March 2003 in Brussels with a view to establishing and maintaining effective and regular consultations, cooperation and exchanges of information between the two organizations;

8. *Notes with satisfaction* the holding of a workshop on multimodal transport and trade facilitation, in Tehran in May 2004, sponsored by the Economic Cooperation Organization, in which the Islamic Development Bank, the United Nations Conference on Trade and Development and the Economic and Social Commission for Asia and the Pacific participated, and hopes that efforts will be made to bring about the successful completion of the multimodal transport project as soon as possible;

9. *Expresses its appreciation* for the importance the Economic Cooperation Organization attaches to the smooth running of container trains on the Trans-Asian Railway main line and to the fine-tuning of a draft action plan for revitalizing and operating the China-Middle East-Europe corridor, as well as for the organization of meetings in Tehran in May 2004 to discuss these issues;

10. *Notes with satisfaction* the efforts of the Economic Cooperation Organization to implement United Nations programmes for the development of transit transport facilities in the landlocked countries of the region;

11. *Recognizes* the importance of removing barriers to transport and trade development in the region, and welcomes the joint project of the Economic Cooperation Organization and the United Nations Development Programme to prepare a comprehensive report on the subject;

12. *Takes note with satisfaction* of the decisions of the first Economic Cooperation Organization Ministerial Meeting on Industry, held in Tehran from 25 to 27 January 2004, and notes the importance of the adoption of the Tehran Declaration and the Plan of Action for Industrial Cooperation in the Economic Cooperation Organization Region, which pave the way for consolidating regional efforts to promote industrial cooperation in the region through the mobilization of regional and international resources and the industrial potential of the member States, and to that end encourages the United Nations Industrial Development Organization to actively contribute to the activities of the Economic Cooperation Organization in the field of industry;

13. *Also takes note with satisfaction* of the decisions of the first Economic Cooperation Organization Ministerial Meeting on Finance/Economy, held on 29 and 30 January 2004, and the Islamabad Joint Communiqué for Cooperation on Finance/Economy, especially in the areas of: (*a*) macroeconomic management and global capital markets; (*b*) promotion of banking, investment, transit and trade from legal and financial aspects; (*c*) securities and capital market regulations and stock/commodity exchanges; (*d*) privatization of public enterprises; and (*e*) cost of economic adjustment and the need for social safety nets;

14. *Appreciates* the efforts of the Economic Cooperation Organization to implement the Millennium Development Goals, especially its attempts to reduce poverty and food insecurity in the region, takes note with satisfaction of the implementation of the technical cooperation programme of the Food and Agriculture Organization of the United Nations and the regional programme for food security in the member States of the Economic Cooperation Organization, and urges the relevant financial institutions to support the ideas to be outlined within the programme;

15. *Welcomes* the initiative of the Economic Cooperation Organization to establish institutional cooperation among its member States and relevant international organizations on agriculture-related matters of the World Trade Organization, and encourages the Food and Agriculture Organization of the United Nations, the United Nations

Conference on Trade and Development and other international organizations and institutions to support the activities of the Economic Cooperation Organization in this regard;

16. *Notes with satisfaction* the adoption of the Tehran Declaration on Environmental Cooperation among member States of the Economic Cooperation Organization and the Plan of Action for Cooperation among the States members of the Economic Cooperation Organization on Environment (2003–2007) at the first Ministerial Meeting of the Economic Cooperation Organization on Environment, held in Tehran, from 13 to 15 December 2002, and the revision of the Plan of Action by the member States at the first meeting of the Working Group on Environment, held in Ankara on 7 and 8 April 2004;

17. *Also notes with satisfaction* the adoption by the United Nations Environment Programme of decision 22/14 of 7 February 2003 on the role of the Programme in strengthening regional activities and cooperation in the Economic Cooperation Organization region, at the twenty-second session of the United Nations Environment Programme Governing Council/Global Ministerial Environment Forum;[16]

18. *Welcomes* the signing of the memorandum of understanding on cooperation in the field of environment between the Economic Cooperation Organization and the United Nations Environment Programme, in Tehran on 18 August 2004;

19. *Also welcomes* the growing cooperation between the Economic Cooperation Organization, the Economic and Social Commission for Asia and the Pacific and the United Nations Environment Programme in the field of environment, and encourages their active collaboration with the Economic Cooperation Organization;

20. *Notes with satisfaction* the ongoing cooperation between the Economic Cooperation Organization and the Islamic Development Bank concerning the project of the Economic Cooperation Organization on the interconnection and parallel functioning of power systems in the region, as well as the assistance provided by the Bank to the Economic Cooperation Organization in convening meetings on power trading as well as on legal and fiscal aspects of the promotion of foreign direct investment in the mineral sector, held in 2002 and 2003, respectively;

21. *Takes note* of the decision to hold ministerial meetings in the areas of transport and communications, energy/petroleum, environment, agriculture and information technology in 2004 and 2005;

22. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution;

23. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Economic Cooperation Organization".

RESOLUTION 59/5

Adopted at the 40th plenary meeting, on 22 October 2004, without a vote, on the basis of draft resolution A/59/L.6 and Add.1, sponsored by: Afghanistan, Australia, Azerbaijan, Bangladesh, Bhutan, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Chile, China, Cuba, Cyprus, Democratic People's Republic of Korea, Dominican Republic, Egypt, El Salvador, France, Gabon, Georgia, Guinea, India, Indonesia, Iran (Islamic Republic of), Japan, Kazakhstan, Lao People's Democratic Republic, Malaysia, Maldives, Marshall Islands, Mongolia, Myanmar, Nauru, Nepal, New Zealand, Pakistan, Papua New Guinea, Philippines, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Tajikistan, Thailand, Timor-Leste, Turkey, United States of America, Uzbekistan, Viet Nam, Yemen

59/5. Cooperation between the United Nations and the Association of Southeast Asian Nations

The General Assembly,

Bearing in mind the aims and purposes of the Association of Southeast Asian Nations, as enshrined in the Bangkok Declaration of 8 August 1967, in particular the maintenance of close and beneficial cooperation with existing international and regional organizations with similar aims and purposes,

Recalling its resolution 57/35 of 21 November 2002 on cooperation between the United Nations and the Association,

Noting with appreciation the report of the Secretary-General on cooperation between the United Nations and the Association,[17]

Noting with satisfaction that the activities of the Association are consistent with the purposes and principles of the United Nations,

Welcoming the ongoing efforts that strengthen the cooperation between the United Nations system and the Association,

Welcoming also the participation of the Association in the high-level meetings between the United Nations and regional organizations, as well as the collaboration between the Association and the Economic and Social Commission for Asia and the Pacific to promote dialogue and cooperation among regional organizations in Asia and the Pacific,

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[16] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 25* (A/58/25), annex.

[17] See A/59/303, part one, sect. III.

1. *Commends* the President of the General Assembly, the Secretary-General of the United Nations and the Ministers for Foreign Affairs of the States members of the Association of Southeast Asian Nations for their efforts to hold regular meetings, on an annual basis, with the presence of the Secretary-General of the Association, during the regular session of the Assembly, with a view to further strengthening the cooperation between the United Nations and the Association;

2. *Continues to encourage* both the United Nations and the Association to further increase contacts and strengthen areas of cooperation, as appropriate;

3. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution;

4. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Association of Southeast Asian Nations".

RESOLUTION 59/6

Adopted at the 40th plenary meeting, on 22 October 2004, by a recorded vote of 104 to1, with no abstentions,* on the basis of draft resolution A/59/L.7 and Add.1, sponsored by: Australia, Austria, Bangladesh, Croatia, Denmark, Estonia, Finland, Germany, Greece, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland

* *In favour:* Afghanistan, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Central African Republic, Chile, China, Colombia, Congo, Croatia, Cuba, Cyprus, Czech Republic, Denmark, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Finland, Georgia, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malaysia, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia

Against: United States of America

Abstaining: None

59/6. Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

The General Assembly,

Taking note of the note by the Secretary-General on cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization,[18]

Taking note also of the report of the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization,[18]

Decides to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization".

RESOLUTION 59/7

Adopted at the 40th plenary meeting, on 22 October 2004, without a vote, on the basis of draft resolution A/59/L.8 and Add.1, sponsored by: Argentina, Australia, Austria, Bangladesh, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kuwait, Latvia, Liberia, Lithuania, Luxembourg, Malaysia, Malta, Monaco, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Samoa, Senegal, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland

59/7. Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons

The General Assembly,

Recalling its resolution 57/45 of 21 November 2002 on cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons,

Having received the annual report for 2002 of the Organization for the Prohibition of Chemical Weapons on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,[19]

1. *Takes note* of the annual report for 2002 of the Organization for the Prohibition of Chemical Weapons submitted on its behalf by its Director-General;[19]

2. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons".

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[18] See A/59/296.

[19] See A/59/297.

RESOLUTION 59/8

Adopted at the 40th plenary meeting, on 22 October 2004, without a vote, on the basis of draft resolution A/59/L.12 and Add.1, as orally revised, sponsored by: Albania, Azerbaijan, Bahrain, Bangladesh, Bosnia and Herzegovina, Egypt, Indonesia, Iran (Islamic Republic of), Jordan, Kazakhstan, Kyrgyzstan, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Togo, Tunisia, Turkey, Uzbekistan, Yemen

59/8. Cooperation between the United Nations and the Organization of the Islamic Conference

The General Assembly,

Recalling its resolutions 37/4 of 22 October 1982, 38/4 of 28 October 1983, 39/7 of 8 November 1984, 40/4 of 25 October 1985, 41/3 of 16 October 1986, 42/4 of 15 October 1987, 43/2 of 17 October 1988, 44/8 of 18 October 1989, 45/9 of 25 October 1990, 46/13 of 28 October 1991, 47/18 of 23 November 1992, 48/24 of 24 November 1993, 49/15 of 15 November 1994, 50/17 of 20 November 1995, 51/18 of 14 November 1996, 52/4 of 22 October 1997, 53/16 of 29 October 1998, 54/7 of 25 October 1999, 55/9 of 30 October 2000, 56/47 of 7 December 2001 and 57/42 of 21 November 2002,

Recalling also its resolution 3369 (XXX) of 10 October 1975, by which it decided to invite the Organization of the Islamic Conference to participate in the sessions and the work of the General Assembly and of its subsidiary organs in the capacity of observer,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[20]

Taking into account the desire of the two organizations to continue to cooperate closely in the political, economic, social, humanitarian, cultural and scientific fields and in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, decolonization, fundamental human rights and economic and social development,

Recalling the Articles of the Charter of the United Nations that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Noting the strengthening of cooperation between the United Nations, its funds and programmes and the specialized agencies and the Organization of the Islamic Conference, its subsidiary organs and its specialized and affiliated institutions,

Noting also the encouraging progress made in the ten priority areas of cooperation between the two organizations and their respective agencies and institutions, as well as in the identification of other areas of cooperation between them,

Convinced that the strengthening of cooperation between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference and its organs and institutions contributes to the promotion of the purposes and principles of the United Nations,

Welcoming the results of the general meeting of the organizations and agencies of the United Nations system and the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions, held in Vienna from 13 to 15 July 2004, and the fact that these meetings are now being held every two years, with the next one scheduled for 2006,

Noting with appreciation the determination of both organizations to strengthen further the existing cooperation by developing specific proposals in the designated priority areas of cooperation, as well as in the political field,

1. *Takes note with satisfaction* of the report of the Secretary-General;[20]

2. *Notes with satisfaction* the active participation of the Organization of the Islamic Conference in the work of the United Nations towards the realization of the purposes and principles embodied in the Charter of the United Nations;

3. *Requests* the United Nations and the Organization of the Islamic Conference to continue to cooperate in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, decolonization, fundamental human rights, emergency relief and rehabilitation, social and economic development and technical cooperation;

4. *Welcomes* the efforts of the United Nations and the Organization of the Islamic Conference to continue to strengthen cooperation between the two organizations in areas of common concern and to review and explore innovative ways and means of enhancing the mechanisms of such cooperation;

5. *Welcomes with appreciation* the continuing cooperation between the United Nations and the Organization of the Islamic Conference in the fields of peacemaking, preventive diplomacy, peacekeeping and peacebuilding, and notes the close cooperation between the two organizations in reconstruction and development in Afghanistan and Sierra Leone;

6. *Welcomes* the efforts of the secretariats of the two organizations to strengthen information exchange, coordination and cooperation between them in areas of mutual interest in the political field and to develop practical modalities of such cooperation;

7. *Also welcomes* the periodic high-level meetings between the Secretary-General of the United Nations and the

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[20] A/59/303.

Secretary-General of the Organization of the Islamic Conference, as well as between senior secretariat officials of the two organizations, and encourages their participation in important meetings of the two organizations;

8. *Encourages* the specialized agencies and other organizations of the United Nations system to continue to expand their cooperation with the subsidiary organs and specialized and affiliated institutions of the Organization of the Islamic Conference, in particular by negotiating cooperation agreements, and through necessary contacts and meetings of the respective focal points for cooperation in priority areas of interest to the United Nations and the Organization of the Islamic Conference;

9. *Urges* the United Nations and other organizations of the United Nations system, especially the lead agencies, to provide increased technical and other forms of assistance to the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions in order to enhance cooperation;

10. *Expresses its appreciation* to the Secretary-General for his continued efforts to strengthen cooperation and coordination between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions to serve the mutual interests of the two organizations in the political, economic, social, cultural, humanitarian and scientific fields;

11. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the state of cooperation between the United Nations and the Organization of the Islamic Conference;

12. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Organization of the Islamic Conference".

RESOLUTION 59/9

Adopted at the 40th plenary meeting, on 22 October 2004, without a vote, on the basis of draft resolution A/59/L.13, sponsored by: Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Mauritius, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen

59/9. Cooperation between the United Nations and the League of Arab States

The General Assembly,

Recalling its previous resolutions on cooperation between the United Nations and the League of Arab States,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[21]

Recalling article 3 of the Pact of the League of Arab States,[22] which entrusts the Council of the League with the function of determining the means whereby the League will collaborate with the international organizations which may be created in the future to guarantee peace and security and organize economic and social relations,

Noting the desire of both organizations to consolidate, develop and enhance further the ties existing between them in the political, economic, social, humanitarian, cultural, technical and administrative fields,

Taking into account the report of the Secretary-General entitled "An Agenda for Peace",[23] in particular section VII, concerning cooperation with regional arrangements and organizations, and the "Supplement to an Agenda for Peace",[24]

Convinced of the need for more efficient and coordinated utilization of available economic and financial resources in order to promote the common objectives of the two organizations,

Recognizing the need for the further strengthening of cooperation between the United Nations system and the League of Arab States and its specialized organizations for the realization of the common goals and objectives of the two organizations,

1. *Takes note with satisfaction* of the report of the Secretary-General;[21]

2. *Commends* the continued efforts of the League of Arab States to promote multilateral cooperation among Arab States, and requests the United Nations system to continue to lend its support;

3. *Expresses its appreciation* to the Secretary-General for the follow-up action taken by him to implement the proposals adopted at the meetings between the representatives of the secretariats of the United Nations and other organizations of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations, including the sectoral meeting in 2004 on the theme "Achieving and financing the Millennium Development Goals and sustainable development for the members of the League of Arab States";

4. *Requests* the Secretariat of the United Nations and the General Secretariat of the League of Arab States, within

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[21] Ibid.

[22] United Nations, *Treaty Series*, vol. 70, No. 241.

[23] A/47/277-S/24111.

[24] A/50/60-S/1995/1.

their respective fields of competence, to intensify further their cooperation for the realization of the purposes and principles embodied in the Charter of the United Nations, the strengthening of international peace and security, economic and social development, disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination;

5. *Requests* the Secretary-General to continue his efforts to strengthen cooperation and coordination between the United Nations and other organizations and agencies of the United Nations system and the League of Arab States and its specialized organizations in order to enhance their capacity to serve the mutual interests and objectives of the two organizations in the political, economic, social, humanitarian, cultural and administrative fields;

6. *Calls upon* the specialized agencies and other organizations and programmes of the United Nations system:

(*a*) To continue to cooperate with the Secretary-General and among themselves, as well as with the League of Arab States and its specialized organizations, in the follow-up of multilateral proposals aimed at strengthening and expanding cooperation in all fields between the United Nations system and the League of Arab States and its specialized organizations;

(*b*) To strengthen the capacity of the League of Arab States and of its institutions and specialized organizations to benefit from globalization and information technology and to meet the development challenges of the new millennium;

(*c*) To step up cooperation and coordination with the specialized organizations of the League of Arab States in the organization of seminars and training courses and in the preparation of studies;

(*d*) To maintain and increase contacts and improve the mechanism of consultation with the counterpart programmes, organizations and agencies concerned regarding projects and programmes in order to facilitate their implementation;

(*e*) To participate whenever possible with organizations and institutions of the League of Arab States in the execution and implementation of development projects in the Arab region;

(*f*) To inform the Secretary-General of the progress made in their cooperation with the League of Arab States and its specialized organizations and, in particular, of the follow-up action taken on the multilateral and bilateral proposals adopted at the previous meetings between the two organizations;

7. *Also calls upon* the specialized agencies and other organizations and programmes of the United Nations system to increase their cooperation with the League of Arab States and its specialized organizations in the priority sectors of energy, rural development, desertification and green belts, training and vocational education, technology, environment, information and documentation, trade and finance, water resources, development of the agricultural sector, empowerment of women, transport, communications and information, promotion of the role of the private sector and capacity-building;

8. *Requests* the Secretary-General of the United Nations, in cooperation with the Secretary-General of the League of Arab States, to encourage periodic consultation between representatives of the Secretariat of the United Nations and of the General Secretariat of the League of Arab States in order to review and strengthen coordination mechanisms with a view to accelerating implementation of, and follow-up action on, the multilateral projects, proposals and recommendations adopted at the meetings between the two organizations;

9. *Recommends* that the United Nations and all organizations of the United Nations system make the greatest possible use of Arab institutions and technical expertise in projects undertaken in the Arab region;

10. *Reaffirms* that, in order to enhance cooperation and for the purpose of the review and appraisal of progress, a general meeting between representatives of the United Nations system and the League of Arab States should be held once every two years and that joint inter-agency sectoral meetings should also be convened on a biennial basis to address priority areas of major importance to the development of Arab States, on the basis of agreement between the United Nations system and the League of Arab States and its specialized organizations;

11. *Also reaffirms* the importance of holding the next general meeting on cooperation between representatives of the secretariats of the organizations of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations during 2005;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution;

13. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the League of Arab States".

RESOLUTION 59/10

Adopted at the 42nd plenary meeting, on 27 October 2004, without a vote, on the basis of draft resolution A/59/L.9 and Add.1, as orally revised, sponsored by: Algeria, Andorra, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Brunei Darussalam, Burkina Faso, Cape Verde, Central African Republic, China, Costa Rica, Croatia, Cuba, Cyprus, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, Eritrea, France, Georgia, Ghana, Greece, Indonesia, Ireland, Italy, Japan, Kazakhstan, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Mali, Malta, Monaco, Mongolia, Morocco, Myanmar, Oman, Pakistan, Palau, Peru, Portugal, Qatar, Republic of Moldova, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Suriname, Switzerland, Syrian Arab Republic, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, Uruguay, Viet Nam, Yemen

59/10. Sport as a means to promote education, health, development and peace

The General Assembly,

Recalling its resolution 58/5 of 3 November 2003 and its decision to proclaim 2005 the International Year for Sport and Physical Education, as a means to promote education, health, development and peace,

Considering the role of sport and physical education as a means to promote education, health, development and peace,

Acknowledging the major role of the United Nations, its funds and programmes and the United Nations Educational, Scientific and Cultural Organization and other specialized agencies, in promoting human development through sport and physical education, through its country programmes,

Noting that sport and physical education in many countries face increasing marginalization within education systems even though they are a major tool not only for health and physical development but also for acquiring values necessary for social cohesion and intercultural dialogue,

Recalling the Convention on the Rights of the Child[25] and the outcome document of the special session of the General Assembly on children, entitled "A world fit for children",[26] stressing that education shall be directed to the development of children's personality, talents and mental and physical abilities to their fullest potential,

Acknowledging with concern the dangers faced by sportsmen and sportswomen, in particular young athletes, including child labour, violence, doping, early specialization, over-training and exploitative forms of commercialization, as well as less visible threats and deprivations, such as the premature severance of family bonds and the loss of sporting, social and cultural ties,

Recognizing the need for greater coordination of efforts at the international level to facilitate a more effective fight against doping, and noting in this regard the Anti-Doping Convention established by the Council of Europe,[27] the Copenhagen Declaration on Anti-doping in Sport, adopted during the World Conference on Doping in Sport, held from 3 to 5 March 2003, and any other relevant international instrument,

1. *Takes note* of the report of the Secretary-General entitled "Sport for peace and development: International Year of Sport and Physical Education";[28]

2. *Decides* to launch, on 5 November 2004, the International Year for Sport and Physical Education, as a means to promote education, health, development and peace;

3. *Invites* Governments, the United Nations, its funds and programmes, the specialized agencies, where appropriate, and sport-related institutions to organize events to underline their commitment and to seek the assistance of sports personalities in this regard;

4. *Also invites* Governments, the United Nations, its funds and programmes, the specialized agencies, where appropriate, and sport-related institutions:

(*a*) To promote the role of sport and physical education for all when furthering their development programmes and policies, to advance health awareness, the spirit of achievement and cultural bridging and to entrench collective values;

(*b*) To include sport and physical education as a tool to contribute towards achieving the internationally agreed development goals, including those contained in the United Nations Millennium Declaration[29] and the broader aims of development and peace;

(*c*) To work collectively so that sport and physical education can present opportunities for solidarity and cooperation in order to promote a culture of peace and social and gender equality and to advocate dialogue and harmony;

(*d*) To recognize the contribution of sport and physical education towards economic and social development and to encourage the building and restoration of sports infrastructures;

(*e*) To further promote sport and physical education, on the basis of locally assessed needs, as a tool for health, education, social and cultural development and environmental sustainability;

(*f*) To strengthen cooperation and partnership between all actors, including family, school, clubs/leagues, local communities, youth sports associations and decision makers as well as the public and private sectors, in order to ensure complementarities and to make sport and physical education available to everyone;

(*g*) To ensure that young talents can develop their athletic potential without any threat to their safety and physical and moral integrity;

5. *Encourages* Governments, international sports bodies and sport-related organizations to elaborate and implement partnership initiatives and development projects compatible with the education provided at all levels of schooling to help to achieve the Millennium Development Goals;

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[25] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[26] Resolution S-27/2, annex.

[27] Council of Europe, *European Treaty Series*, No. 135.

[28] A/59/268 and Add.1.

[29] See resolution 55/2.

6. *Invites* Governments and international sports bodies to assist developing countries, in particular the least developed countries and small island developing States, in their capacity-building efforts in sport and physical education;

7. *Encourages* the United Nations to develop strategic partnerships with the range of stakeholders involved in sport, including sports organizations, sports associations and the private sector, to assist in the implementation of sport for development programmes;

8. *Encourages* Governments and the United Nations system to seek new and innovative ways to use sport for communication and social mobilization, particularly at the national, regional and local levels, engaging civil society through active participation and ensuring that target audiences are reached;

9. *Acknowledges* that the Olympic Games contribute to understanding between peoples and civilizations, and welcomes in this regard the contribution of the 2004 Olympic Games organized in Athens;

10. *Stresses* the need for all parties to cooperate closely with international sports bodies to elaborate a "code of good practice";

11. *Invites* Governments to accelerate the elaboration of an international anti-doping convention in all sports activities, and requests the United Nations Educational, Scientific and Cultural Organization, in cooperation with other relevant international and regional organizations, to coordinate the elaboration of such a convention;

12. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution and on the events organized at the national, regional and international levels to celebrate the year 2005, under the item entitled "International Year of Sport and Physical Education".

RESOLUTION 59/11

Adopted at the 44th plenary meeting, on 28 October 2004, by a recorded vote of 179 to 4, with 1 abstention,* on the basis of draft resolution A/59/L.2, sponsored by Cuba

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Palau, United States of America

Abstaining: Micronesia (Federated States of)

59/11. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

The General Assembly,

Determined to encourage strict compliance with the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming, among other principles, the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which are also enshrined in many international legal instruments,

Recalling the statements of the Heads of State or Government at the Ibero-American Summits concerning the need to eliminate the unilateral application of economic and trade measures by one State against another that affect the free flow of international trade,

Concerned at the continued promulgation and application by Member States of laws and regulations, such as that promulgated on 12 March 1996 known as the "Helms-Burton Act", the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation,

Taking note of declarations and resolutions of different intergovernmental forums, bodies and Governments that express the rejection by the international community and public opinion of the promulgation and application of regulations of the kind referred to above,

Recalling its resolutions 47/19 of 24 November 1992, 48/16 of 3 November 1993, 49/9 of 26 October 1994, 50/10 of 2 November 1995, 51/17 of 12 November 1996, 52/10 of 5 November 1997, 53/4 of 14 October 1998, 54/21 of 9 November 1999, 55/20 of 9 November 2000, 56/9 of

27 November 2001, 57/11 of 12 November 2002 and 58/7 of 4 November 2003,

Concerned that, since the adoption of its resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9, 57/11 and 58/7, further measures of that nature aimed at strengthening and extending the economic, commercial and financial embargo against Cuba continue to be promulgated and applied, and concerned also at the adverse effects of such measures on the Cuban people and on Cuban nationals living in other countries,

1. *Takes note* of the report of the Secretary-General on the implementation of resolution 58/7;[30]

2. *Reiterates its call upon* all States to refrain from promulgating and applying laws and measures of the kind referred to in the preamble to the present resolution in conformity with their obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation;

3. *Once again urges* States that have and continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal regime;

4. *Requests* the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the present resolution in the light of the purposes and principles of the Charter and international law and to submit it to the General Assembly at its sixtieth session;

5. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

RESOLUTION 59/18

Adopted at the 48th plenary meeting, on 1 November 2004, by a recorded vote of 123 to 1, with no abstentions,* on the basis of draft resolution A/59/L.18 and Add.1, sponsored by: Andorra, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, India, Ireland, Italy, Japan, Kazakhstan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of)

* *In favour:* Algeria, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Vanuatu, Venezuela (Bolivarian Republic of), Yemen, Zambia

Against: Democratic People's Republic of Korea

Abstaining: None

59/18. Report of the International Atomic Energy Agency

The General Assembly,

Having received the report of the International Atomic Energy Agency for 2003,[31]

Taking note of the statement of the Director General of the International Atomic Energy Agency,[32] in which he provided additional information on the main developments in the activities of the Agency during 2004,

Recognizing the importance of the work of the Agency,

Recognizing also the cooperation between the United Nations and the Agency and the Agreement governing the relationship between the United Nations and the Agency as approved by the General Conference of the Agency on 23 October 1957 and by the General Assembly in the annex to its resolution 1145 (XII) of 14 November 1957,

1. *Takes note with appreciation* of the report of the International Atomic Energy Agency;[31]

2. *Takes note* of resolutions GC(48)/RES/10A on measures to strengthen international cooperation in nuclear, radiation and waste safety, GC(48)/RES/10B on international nuclear and radiological emergency preparedness and response, GC(48)/RES/10C on transport safety, GC(48)/RES/10D on the safety and security of radioactive sources, GC(48)/RES/11 on progress on measures to protect against nuclear and radiological terrorism, GC(48)/RES/12 on strengthening of the Agency's

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[30] A/59/302 (Parts I and II).

[31] International Atomic Energy Agency, *The Annual Report for 2003* (GC(48)/3); transmitted to the members of the General Assembly by a note by the Secretary-General (A/59/295).

[32] See *Official Records of the General Assembly, Fifty-ninth Session, Plenary Meetings*, 47th meeting (A/59/PV.47), and corrigendum.

technical cooperation activities, GC(48)/RES/13A on strengthening the Agency's activities related to nuclear science, technology and applications, GC(48)/RES/13B on support to the African Union's Pan-African Tsetse and Trypanosomosis Eradication Campaign, GC(48)/RES/13C on development of the sterile insect technique for the control or eradication of malaria-transmitting mosquitoes, GC(48)/RES/13D on a programme of action for cancer therapy, GC(48)/RES/13E on nuclear knowledge, GC(48)/RES/13F on Agency activities in the development of innovative nuclear technology, GC(48)/RES/14 on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol, GC(48)/RES/15 on implementation of the Agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, GC(48)/RES/16 on the application of Agency safeguards in the Middle East and decision GC(48)/DEC/10 on Israeli nuclear capabilities and threat, adopted on 24 September 2004 by the General Conference of the Agency at its forty-eighth regular session;[33]

3. *Affirms its support* for the indispensable role of the Agency in encouraging and assisting the development and practical application of atomic energy for peaceful uses, in technology transfer to developing countries and in nuclear safety, verification and security;

4. *Appeals* to Member States to continue to support the activities of the Agency;

5. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the fifty-ninth session of the General Assembly relating to the activities of the Agency.

RESOLUTION 59/19

Adopted at the 50th plenary meeting, on 8 November 2004, without a vote, on the basis of draft resolution A/59/L.5/Rev.2 and Add.1, sponsored by: Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Mexico, Monaco, Mongolia, Morocco, Namibia, Nauru, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Viet Nam, Zambia

59/19. Cooperation between the United Nations and the Inter-Parliamentary Union

The General Assembly,

Having considered the report of the Secretary-General of 1 September 2004, which takes stock of the broad cooperation between the United Nations and the Inter-Parliamentary Union over the past two years,[34]

Taking note of the resolutions adopted by the Inter-Parliamentary Union and circulated in the General Assembly and the activities undertaken by the organization over the past two years in support of the United Nations,

Welcoming the annual parliamentary hearings at the United Nations as a regular feature of the programme of events held at United Nations Headquarters on the occasion of the sessions of the General Assembly,

Taking into consideration the Cooperation Agreement between the United Nations and the Inter-Parliamentary Union of 1996,[35] which laid the foundation for cooperation between the two organizations,

Recalling the United Nations Millennium Declaration,[36] in which Heads of State and Government resolved to strengthen further cooperation between the United Nations and national parliaments through their world organization, the Inter-Parliamentary Union, in various fields, including peace and security, economic and social development, international law and human rights, and democracy and gender issues,

Also recalling its resolution 57/32 of 19 November 2002, in which the Inter-Parliamentary Union was invited to participate in the work of the General Assembly in the capacity of observer, as well as resolution 57/47 of 21 November 2002,

Taking note of the recommendations contained in the report of the Panel of Eminent Persons on United Nations-Civil Society Relations[37] in regard to engaging parliamentarians more systematically in the work of the United Nations,

1. *Welcomes* the efforts made by the Inter-Parliamentary Union to provide for a greater parliamentary contribution and enhanced support to the United Nations;

2. *Welcomes with satisfaction* the decision to convene the second World Conference of Speakers of Parliament at

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[33] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-eighth Regular Session, 20–24 September 2004* (GC(48)/RES/DEC(2004)).

[34] See A/59/303, part five.

[35] A/51/402, annex.

[36] See resolution 55/2.

[37] See A/58/817 and Corr.1.

United Nations Headquarters in September 2005, in follow-up to the first such conference held in New York in 2000 in conjunction with the Millennium Assembly of the United Nations;

3. *Calls upon* the host country to extend the usual courtesies to participants of all parliamentary delegations of States Members of the United Nations at the second World Conference of Speakers of Parliament;

4. *Takes note* of the efforts of the Inter-Parliamentary Union to consult parliaments on the recommendations contained in the report of the Panel of Eminent Persons[37] in regard to engaging parliamentarians more systematically in the work of the United Nations, and looks forward to learning of the outcome of this process as a contribution to the deliberations of the General Assembly prior to a final decision on the recommendations of the Panel in regard to parliamentarians;

5. *Encourages* the United Nations and the Inter-Parliamentary Union to continue to cooperate closely in various fields, in particular peace and security, economic and social development, international law, human rights, and democracy and gender issues, bearing in mind the significant benefits of cooperation between the two organizations, to which the report of the Secretary-General attests;[34]

6. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Inter-Parliamentary Union".

RESOLUTION 59/20

Adopted at the 50th plenary meeting, on 8 November 2004, without a vote, on the basis of draft resolution A/59/L.11 and Add.1, sponsored by: Algeria, Armenia, Australia, Austria, Azerbaijan, Barbados, Belize, Brunei Darussalam, Bulgaria, Cape Verde, Comoros, Costa Rica, Croatia, Cuba, Czech Republic, Fiji, Grenada, Guyana, Iceland, India, Indonesia, Ireland, Israel, Japan, Lao People's Democratic Republic, Lithuania, Malaysia, Marshall Islands, Mauritius, Micronesia (Federated States of), Nauru, Nepal, New Zealand, Palau, Papua New Guinea, Peru, Philippines, Republic of Korea, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Seychelles, Singapore, Solomon Islands, South Africa, Sudan, Suriname, Swaziland, Thailand, Timor-Leste, Tonga, Tuvalu, Ukraine, United States of America, Vanuatu

59/20. Cooperation between the United Nations and the Pacific Islands Forum

The General Assembly,

Recalling its resolutions 56/41 of 7 December 2001 and 57/37 of 21 November 2002,

Welcoming the ongoing efforts towards closer cooperation between the United Nations and the Pacific Islands Forum and its associated institutions,

Reaffirming that one of the guiding principles for cooperation in peacebuilding adopted by the fourth high-level meeting between the United Nations and heads of regional organizations is that, as the promotion of self-reliance should be a fundamental goal of all cooperative and peacebuilding activities, peacebuilding must be a home-grown process in which the role of the United Nations and regional organizations is to support national endeavours,

Noting the outcomes of the Special Leaders' Retreat of the Pacific Islands Forum, held in New Zealand in April 2004,[38]

Taking note of the communiqué of the thirty-fifth meeting of the Pacific Islands Forum, held in Apia from 5 to 7 August 2004,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[39]

1. *Takes note* of the report of the Secretary-General,[39] in particular the section on cooperation between the United Nations and the Pacific Islands Forum, and encourages further such cooperation;

2. *Welcomes* the ongoing work of various international organizations, United Nations agencies, funds and programmes in advancing knowledge in the key strategic areas related to governance, security, economic growth, trade and sustainable development, as well as in the implementation of the internationally agreed development goals, including those in the United Nations Millennium Declaration,[40] in the Pacific Island countries;

3. *Also welcomes* the decision of the Pacific Islands Forum to develop a "Pacific Plan",[41] which is aimed at enhancing regional integration and cooperation among its members and cooperation with the international community, including the United Nations system;

4. *Further welcomes* the steps taken by the Secretary-General for the sixth high-level meeting between the United Nations and heads of regional organizations, to be convened in mid-2005, and recognizes the tasks before the United Nations departments and organizations in leading the process of implementing the recommendations of the last meeting and in formulating practical follow-up plans for discussion during the next meeting;

5. *Notes with satisfaction* that regular consultations continue at all levels between the United Nations and the Secretariat of the Pacific Islands Forum and that the United Nations also participated in the 2004 session of the Pacific

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[38] See A/59/95.

[39] A/59/303.

[40] See resolution 55/2.

[41] See A/59/95, enclosure II.

Islands Forum Regional Security Committee and at the Leaders' Forum, held in Apia in August 2004;

6. *Welcomes* the ongoing efforts of the Pacific Islands Forum to promote, primarily through the Regional Security Committee, law enforcement cooperation, the rule of law and regional peace and security, including combating all types of terrorism, in implementing the core United Nations treaties on anti-terrorism, anti-money-laundering, transnational crime and the financing of terrorism;

7. *Requests*, in this regard, that the United Nations continue to assist the Pacific Islands Forum to enable the timely implementation of relevant United Nations mandates, and invites States to contribute to the Biketawa Trust Fund, which is administered by the Pacific Islands Forum for confidence-building measures and conflict prevention;

8. *Welcomes* the significant efforts of the Pacific Islands Forum in enhancing peace and security in the region, including through the Regional Assistance Mission to Solomon Islands;

9. *Also welcomes* the readiness of the United Nations, in cooperation with the Pacific Islands Forum, to field an inter-agency mission to Nauru to identify ways of assisting that country to cope with its current situation;

10. *Notes with appreciation* the role of the United Nations in the Bougainville peace process in Papua New Guinea and the steady progress being made by the parties;

11. *Welcomes* plans for the joint hosting of a regional seminar with the Pacific Islands Forum on "Conflict prevention and peacebuilding", to be held in early 2005;

12. *Requests* that the Department of Political Affairs of the Secretariat and the United Nations Development Programme, in cooperation with the Pacific Islands Forum, promote joint cooperative needs assessment missions in the region to determine additional support to enhance peacebuilding and reconciliation processes and to complement the activities of regional missions and mechanisms;

13. *Takes note* of steps taken by the Pacific Islands Forum to solidify its partnership with non-State actors in the region in promoting governance and sustainable development issues;

14. *Invites* the United Nations Institute for Training and Research to develop, in close consultation with the Pacific Islands Forum and other interested agencies, a Pacific-specific regional training programme on "Preventive diplomacy and post-conflict resolution", and to convene this programme in the Pacific in 2005;

15. *Urges* all States to participate, at the highest level possible, in the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, to be held in Mauritius;

16. *Recognizes* the burden placed on small States by growing international reporting requirements, and encourages the investigation of innovative reporting modalities, including regional reporting, where appropriate;

17. *Calls upon* the Office of the United Nations High Commissioner for Human Rights to provide technical support to Pacific Islands Forum members to contribute to the regional efforts in promoting awareness and knowledge of all international human rights treaties;

18. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution;

19. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Pacific Islands Forum".

RESOLUTION 59/21

Adopted at the 50th plenary meeting, on 8 November 2004, without a vote, on the basis of draft resolution A/59/L.14, sponsored by: Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal, Sao Tome and Principe, Timor-Leste

59/21. Cooperation between the United Nations and the Community of Portuguese-speaking Countries

The General Assembly,

Recalling its resolution 54/10 of 26 October 1999, by which it granted observer status to the Community of Portuguese-speaking Countries and considered it mutually advantageous to provide for cooperation between the United Nations and the Community of Portuguese-speaking Countries,

Recalling also the Articles of the Charter of the United Nations that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Considering that the activities of the Community of Portuguese-speaking Countries complement and support the work of the United Nations,

Welcoming the participation of the Community of Portuguese-speaking Countries in the fifth high-level meeting between the United Nations and regional organizations, held in New York on 29 and 30 July 2003,

1. *Invites* the Secretary-General of the United Nations to undertake consultations with the Executive Secretary of the Community of Portuguese-speaking Countries, with a view to promoting cooperation between the secretariats of the two bodies, in particular by encouraging meetings that enable their representatives to consult one another on projects, measures and

procedures that will facilitate and expand their mutual cooperation and coordination;

2. *Requests* the specialized agencies and other bodies and programmes of the United Nations system to cooperate to this end with the Secretary-General and the Executive Secretary;

3. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixty-first session;

4. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Community of Portuguese-speaking Countries".

RESOLUTION 59/22

Adopted at the 50th plenary meeting, on 8 November 2004, without a vote, on the basis of draft resolution A/59/L.19 and Add.1, sponsored by: Albania, Andorra, Angola, Armenia, Austria, Barbados, Belgium, Benin, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Djibouti, Dominica, Egypt, Equatorial Guinea, France, Gabon, Georgia, Greece, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Kazakhstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Mauritania, Mauritius, Monaco, Morocco, Niger, Norway, Peru, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Senegal, Seychelles, Slovakia, Slovenia, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, Vanuatu, Viet Nam

59/22. Cooperation between the United Nations and the International Organization of la Francophonie

The General Assembly,

Recalling its resolutions 33/18 of 10 November 1978, 50/3 of 16 October 1995, 52/2 of 17 October 1997, 54/25 of 15 November 1999, 56/45 of 7 December 2001 and 57/43 of 21 November 2002, as well as its decision 53/453 of 18 December 1998,

Considering that the International Organization of la Francophonie brings together a considerable number of States Members of the United Nations, among which it promotes multilateral cooperation in areas of interest to the United Nations,

Bearing in mind the Articles of the Charter of the United Nations which encourage the promotion of the purposes and principles of the United Nations through regional cooperation,

Bearing in mind also that, according to its charter, the objectives of the International Organization of la Francophonie are to assist in the establishment and development of democracy, the prevention of conflicts and support for the rule of law and for human rights, the intensification of dialogue between cultures and civilizations, the establishment of closer ties among peoples through mutual knowledge and strengthening of their solidarity through multilateral cooperation activities with a view to promoting the growth of their economies,

Welcoming the steps taken by the International Organization of la Francophonie to strengthen its ties with the organizations of the United Nations system and with international and regional organizations with a view to attaining its objectives,

Noting with satisfaction the commitment to multilateral cooperation in the search for solutions to the major international problems expressed by the Heads of State and Government of countries using French as a common language, at their ninth summit conference, held in Beirut from 18 to 20 October 2002, and their determination to extend the scope of francophone collaboration and cooperation in order to fight poverty and contribute to the emergence of a more equitable form of globalization that will bring progress, peace, democracy and human rights, in full respect for cultural and linguistic diversity, in the interests of the most vulnerable populations and the development of all countries,

Having considered the report of the Secretary-General on the implementation of resolution 57/43,[42]

Noting with satisfaction the substantial progress achieved in cooperation between the United Nations, the specialized agencies and other United Nations bodies and programmes and the International Organization of la Francophonie,

Convinced that strengthening cooperation between the United Nations and the International Organization of la Francophonie serves the purposes and principles of the United Nations,

Noting the desire of the two organizations to consolidate, develop and strengthen the ties that exist between them in the political, economic, social and cultural fields,

1. *Takes note with satisfaction* of the report of the Secretary-General,[42] and welcomes the increasingly close and productive cooperation between the United Nations and the International Organization of la Francophonie;

2. *Notes with satisfaction* that the International Organization of la Francophonie participates actively in the work of the United Nations, to which it makes a valuable contribution;

3. *Notes with great satisfaction* the initiatives taken by the International Organization of la Francophonie in the areas of conflict prevention, the promotion of peace and support for democracy, the rule of law and human rights, and commends it on the genuine contribution it makes, in cooperation with the United Nations, in Haiti, the Comoros, Côte d'Ivoire, Burundi,

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[42] A/59/303, part one, sect. X.

the Democratic Republic of the Congo and the Central African Republic;

4. *Welcomes* the initiation of cooperation between the United Nations and the International Organization of la Francophonie, with the participation of other regional and subregional organizations, as well as non-governmental organizations, in the fields of early warning and conflict prevention, and encourages the pursuit of this initiative with a view to formulating practical recommendations to facilitate the establishment of relevant operational mechanisms, where necessary;

5. *Expresses its gratitude* to the International Organization of la Francophonie for the steps it has taken in recent years to promote cultural and linguistic diversity and dialogue between cultures and civilizations;

6. *Expresses its appreciation* to the Secretary-General of the United Nations and the Secretary-General of the International Organization of la Francophonie for their sustained efforts to strengthen cooperation and coordination between the two organizations, thereby serving their mutual interests in the political, economic, social and cultural fields;

7. *Welcomes* the fact that the tenth summit conference of la Francophonie was devoted to solidarity for sustainable development, and calls upon the specialized agencies and the funds and programmes of the United Nations system to enhance their cooperation with the International Organization of la Francophonie in the area of sustainable development;

8. *Also welcomes* the involvement of the countries that use French as a common language, particularly through the International Organization of la Francophonie, in the preparation for, conduct of and follow-up to international conferences organized under United Nations auspices;

9. *Commends* the high-level meetings held periodically between the United Nations Secretariat and the Secretariat of the International Organization of la Francophonie, and advocates the participation of those Secretariats in major meetings of the two organizations;

10. *Expresses its appreciation* to the Secretary-General for including the International Organization of la Francophonie in the periodic meetings he holds with heads of regional organizations, and invites him to continue doing so, taking into account the role played by the International Organization of la Francophonie in conflict prevention and support for democracy and the rule of law;

11. *Notes with satisfaction* the continued collaboration between the United Nations and the International Organization of la Francophonie in the area of electoral monitoring and assistance, and advocates the strengthening of cooperation between the two organizations in that area;

12. *Requests* the Secretary-General of the United Nations, acting in cooperation with the Secretary-General of the International Organization of la Francophonie, to encourage the holding of periodic meetings between representatives of the United Nations Secretariat and representatives of the secretariat of the International Organization of la Francophonie in order to promote the exchange of information, coordination of activities and identification of new areas of cooperation;

13. *Invites* the Secretary-General of the United Nations to take the necessary steps, in consultation with the Secretary-General of the International Organization of la Francophonie, to continue to promote cooperation between the two organizations;

14. *Invites* the specialized agencies and funds and programmes of the United Nations system, as well as the regional commissions, including the Economic Commission for Africa, to collaborate to this end with the Secretary-General of the International Organization of la Francophonie by identifying new synergies in favour of development, in particular in the areas of poverty elimination, energy, sustainable development, education, training and the development of new information technologies;

15. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution;

16. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the International Organization of la Francophonie".

RESOLUTION 59/23

Adopted at the 52nd plenary meeting, on 11 November 2004, without a vote, on the basis of draft resolution A/59/L.15/Rev.1 and Add.1, sponsored by: Argentina, Azerbaijan, Bangladesh, Congo, Costa Rica, Ecuador, Gabon, Gambia, Georgia, Indonesia, Iran (Islamic Republic of), Kazakhstan, Malaysia, Marshall Islands, Micronesia (Federated States of), Morocco, Myanmar, Panama, Peru, Philippines, Senegal, Thailand, Timor-Leste, Uruguay, Venezuela (Bolivarian Republic of)

59/23. Promotion of interreligious dialogue

The General Assembly,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations,

Recalling its resolutions 56/6 of 9 November 2001, on dialogue among civilizations, 57/6 of 4 November 2002, concerning the promotion of a culture of peace and non-violence, 57/337 of 3 July 2003, on the prevention of armed conflict, and 58/128 of 19 December 2003, on the promotion of religious and cultural understanding, harmony and cooperation,

Recalling also the conclusions and recommendations contained in the report of the Director-General of the United

Nations Educational, Scientific and Cultural Organization,[43] transmitted by the Secretary-General to the General Assembly in accordance with resolution 58/128,

Taking note of the various initiatives and efforts to organize interreligious dialogues, including the First Congress of Leaders of World and Traditional Religions, held in Astana on 23 and 24 September 2003,[44] and the interreligious dialogue initiative adopted by the Fifth Asia-Europe Meeting, held in Hanoi from 7 to 9 October 2004,

Recognizing the commitment of all religions to peace,

1. *Affirms* that mutual understanding and interreligious dialogue constitute important dimensions of the dialogue among civilizations and of the culture of peace;

2. *Takes note with appreciation* of the work of the United Nations Educational, Scientific and Cultural Organization on interreligious dialogue, and encourages relevant bodies of the United Nations to work closely with the Organization and coordinate their efforts in this regard;

3. *Invites* the Secretary-General to bring the promotion of interreligious dialogue to the attention of all Governments and relevant international organizations and to submit a report thereon, including all views received, to the General Assembly at its sixtieth session.

RESOLUTION 59/24

Adopted at the 56th plenary meeting, on 17 November 2004, by a recorded vote of 141 to 1, with 2 abstentions,* on the basis of draft resolution A/59/L.22 and Add.1, sponsored by: Australia, Austria, Belgium, Belize, Brazil, Cameroon, Canada, Croatia, Cyprus, Czech Republic, Denmark, Fiji, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Indonesia, Ireland, Jamaica, Japan, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Poland, Portugal, Russian Federation, Saint Lucia, Samoa, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

* *In favour:* Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Turkey

Abstaining: Colombia, Venezuela (Bolivarian Republic of)

59/24. Oceans and the law of the sea

The General Assembly,

Recalling its resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997, 54/33 of 24 November 1999, 57/141 of 12 December 2002, 58/240 of 23 December 2003 and other relevant resolutions adopted subsequent to the entry into force of the United Nations Convention on the Law of the Sea ("the Convention")[45] on 16 November 1994,

Emphasizing the universal and unified character of the Convention and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable development of the oceans and seas,

Reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action and cooperation in the marine sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[46]

Noting with satisfaction the tenth anniversary of the entry into force of the Convention on 16 November 2004, and recognizing the pre-eminent contribution provided by the Convention to the strengthening of peace, security, cooperation and friendly relations among all nations in conformity with the principles of justice and equal rights and to the promotion of the economic and social advancement of all peoples of the world, in accordance with the purposes and principles of the United Nations as set forth in the Charter of the United Nations,

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[43] See A/59/201.

[44] See A/58/390-S/2003/916.

[45] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

[46] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Reaffirming the need to improve cooperation and coordination at all levels, in accordance with the Convention, in order to address all aspects of oceans and seas in an integrated manner and to promote the integrated management and sustainable development of the oceans and seas,

Recalling the essential role of international cooperation and coordination at all levels to support and supplement the efforts of each State in promoting the implementation and observance of the Convention, including the integrated management and sustainable development of coastal and marine areas,

Reiterating the essential need for capacity-building to ensure that all States, especially developing countries, in particular the least developed countries and small island developing States, as well as coastal African States, are able both to implement the Convention and to benefit from the sustainable development of the oceans and seas, as well as to participate fully in global and regional forums and processes dealing with oceans and law of the sea issues,

Recognizing the important role that the competent international organizations have in relation to ocean affairs, in implementing the Convention and in promoting the sustainable development of the oceans and seas,

Emphasizing the need to strengthen the ability of competent international organizations to contribute, at the global, regional, subregional and bilateral levels, through cooperation programmes with Governments, to the development of national capacity in marine science and the sustainable management of the oceans and their resources,

Recalling that marine science, by improving knowledge, through sustained research efforts and the evaluation of monitoring results, and applying such knowledge to management and decision-making, is important for eradicating poverty, contributing to food security, conserving the world's marine environment and resources, helping to understand, predict and respond to natural events, and promoting the sustainable development of the oceans and seas,

Recalling also its decision to establish a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments, in its resolutions 57/141 and 58/240, as recommended by the World Summit on Sustainable Development,[47] noting the work of the International Workshop, held in conjunction with the fifth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea ("the Consultative Process") held from 8 to 11 June 2004, reaffirming its support for this objective, and noting the need for cooperation among all States to this end,

Reiterating its concern at the adverse impacts on the marine environment and biodiversity, in particular on vulnerable marine ecosystems, including corals, of human activities, such as overutilization of living marine resources, the use of destructive practices, physical impacts by ships, the introduction of alien invasive species and marine pollution from all sources, including from land-based sources and vessels, in particular through the illegal release of oil and other harmful substances and from dumping, including the dumping of hazardous waste such as radioactive materials, nuclear waste and dangerous chemicals,

Recognizing that hydrographic surveys and nautical charting are critical to the safety of navigation and life at sea, environmental protection, including vulnerable marine ecosystems and the economics of the global shipping industry, and recognizing in this regard that the move towards electronic charting not only provides significantly increased benefits for safe navigation and management of ship movement, but also provides data and information that can be used for sustainable fisheries activities and other sectoral uses of the marine environment, the delimitation of maritime boundaries and environmental protection,

Noting the important role of the Commission on the Limits of the Continental Shelf ("the Commission") in assisting States parties in the implementation of the Convention, through the examination of submissions by coastal States regarding the outer limits of the continental shelf beyond 200 nautical miles, and also noting the need to ensure the effective functioning of the Commission and its subcommissions, in particular the participation of the members of the Commission in its subcommissions,

Taking note of the report on the work of the fifth meeting of the Consultative Process,[48] established by the General Assembly in its resolution 54/33 in order to facilitate the annual review by the Assembly of developments in ocean affairs and extended for three years by its resolution 57/141,

Taking note also of the report of the Secretary-General,[49] and emphasizing in this regard the critical role of the annual comprehensive report of the Secretary-General, which integrates information on developments relating to the implementation of the Convention and the work of the Organization, its specialized agencies and other institutions in the field of ocean affairs and the law of the sea at the global and regional levels, and as a result constitutes the basis for the annual consideration and review of developments relating to ocean affairs and the law of the sea by the General Assembly as the global institution having the competence to undertake such a review,

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[47] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex, para. 36 (*b*).

[48] A/59/122.

[49] A/59/62 and Add.1.

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolutions 49/28, 52/26 and 54/33, and in this context the increase in responsibilities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat, in particular in view of the growing involvement of the Division with new developments such as the regular process for the global reporting and assessment of the state of the marine environment, including socio-economic aspects, with increasing capacity-building activities and assistance to the Commission, and the role of the Division in inter-agency coordination and cooperation,

Emphasizing that ships and watercraft of all descriptions and ages hold essential information on the history of humankind and that archaeological heritage is a non-renewable resource, deposited over thousands of years, but vulnerable to destruction through modern technologies,

I

Implementation of the Convention and related agreements and instruments

1. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention,[45] and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Agreement");[45]

2. *Reaffirms* the unified character of the Convention;

3. *Calls upon* all States that have not done so to become parties to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks ("the Fish Stocks Agreement");[50]

4. *Once again calls upon* States to harmonize, as a matter of priority, their national legislation with the provisions of the Convention, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention do not purport to exclude or to modify the legal effect of the provisions of the Convention in their application to the State concerned and to withdraw any such declarations or statements;

5. *Calls upon* States parties to the Convention to deposit with the Secretary-General charts or lists of geographical coordinates, as provided for in the Convention;

6. *Requests* the Secretary-General to improve the existing Geographic Information System for the deposit by States of charts and geographical coordinates concerning maritime zones, including lines of delimitation, submitted in compliance with the Convention, and to give due publicity thereto, in particular by implementing, in cooperation with relevant international organizations, such as the International Hydrographic Organization, the technical standards for the collection, storage and dissemination of the information deposited, in order to ensure compatibility among the Geographic Information System, electronic nautical charts and other systems developed by these organizations;

7. *Urges* all States to cooperate, directly or through competent international bodies, in taking measures to protect and preserve objects of an archaeological and historical nature found at sea, in conformity with article 303 of the Convention;

II

Capacity-building

8. *Calls upon* bilateral and multilateral donor agencies and international financial institutions to keep their programmes systematically under review to ensure the availability in all States, particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the objectives of the present resolution as well as the sustainable development of the oceans and seas nationally, regionally and globally, and in so doing to bear in mind the rights of landlocked developing States;

9. *Encourages* intensified efforts to build capacity for developing countries, in particular for the least developed countries and small island developing States, as well as coastal African States, to improve hydrographic services and the production of nautical charts, including the mobilization of resources and building of capacity with support from international financial institutions and the donor community, recognizing that economies of scale can apply in some instances at the regional level through shared facilities, technical capabilities and information for the provision of hydrographic services and the preparation of and access to nautical charts;

10. *Calls upon* States and international financial institutions, including through bilateral, regional and global cooperation programmes and technical partnerships, to continue to strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research by, inter alia, training the necessary skilled personnel, providing the necessary equipment, facilities and vessels and transferring environmentally sound technologies;

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[50] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

11. *Encourages* the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization to continue to disseminate and implement the Criteria and Guidelines on the Transfer of Marine Technology, approved by the Assembly of the Oceanographic Commission at its twenty-second session, in 2003;[51]

12. *Encourages* States to assist developing States, and especially the least developed States and small island developing States, as well as coastal African States, on a bilateral and, where appropriate, regional level, in the preparation of submissions to the Commission, including the assessment of the nature of the continental shelf of a coastal State made in the form of a desktop study, and the mapping of the outer limits of its continental shelf;

III

Trust funds and fellowships

13. *Welcomes* recent capacity-building initiatives, and in this context takes note with satisfaction of the conclusion of an arrangement between the United Nations and the Food and Agriculture Organization of the United Nations regarding the administration of the Assistance Fund established under Part VII of the Fish Stocks Agreement, and the conclusion of a capacity-building trust fund project agreement between the United Nations and the Nippon Foundation of Japan, focusing on human resources development for developing coastal States parties and non-parties to the Convention in the field of ocean affairs and the law of the sea or related disciplines;

14. *Recognizes* the importance of assisting developing States, in particular the least developed States and small island developing States, in implementing the Convention, and urges States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, to make voluntary financial or other contributions to the trust funds, as referred to in resolution 57/141, established for this purpose;

15. *Also recognizes* the importance of the Hamilton Shirley Amerasinghe Memorial Fellowship Programme on the Law of the Sea established by the General Assembly in its resolution 35/116 of 10 December 1980, and urges Member States and others in a position to do so to contribute to the further development of the Fellowship Programme;

IV

Meeting of States Parties

16. *Takes note* of the report of the fourteenth Meeting of States Parties to the Convention;[52]

17. *Requests* the Secretary-General to convene the fifteenth Meeting of States Parties to the Convention in New York from 16 to 24 June 2005 and to provide the services required;

V

Settlement of disputes

18. *Notes with satisfaction* the continued and significant contribution of the International Tribunal for the Law of the Sea ("the Tribunal") to the peaceful settlement of disputes in accordance with Part XV of the Convention, and underlines the important role and authority of the Tribunal concerning the interpretation or application of the Convention and the Agreement;

19. *Equally pays tribute* to the important and long-standing role of the International Court of Justice with regard to the peaceful settlement of disputes concerning the law of the sea;

20. *Encourages* States parties to the Convention that have not yet done so to consider making a written declaration choosing from the means set out in article 287 of the Convention for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement;

21. *Recalls* the obligation under article 296 of the Convention requiring all parties to a dispute before a court or a tribunal referred to in article 287 of the Convention to comply promptly with any decisions rendered by such court or tribunal;

22. *Encourages* States parties to the Convention that have not yet done so to nominate conciliators and arbitrators in accordance with annexes V and VII to the Convention, and requests the Secretary-General to continue to update and circulate lists of these conciliators and arbitrators on a regular basis;

VI

The Area

23. *Notes with satisfaction* the progress of the discussions on issues relating to the regulations for prospecting and exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts in the Area, and reiterates the importance of the ongoing elaboration by the International Seabed

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[51] Intergovernmental Oceanographic Commission, document IOC-XXII/2 Annex 12 rev.

[52] SPLOS/119 and Corr.1.

Authority ("the Authority"), pursuant to article 145 of the Convention, of rules, regulations and procedures to ensure the effective protection of the marine environment, the protection and conservation of the natural resources of the Area and the prevention of damage to its flora and fauna from harmful effects that may arise from activities in the Area;

24. *Takes note* of the Workshop for the establishment of environmental baselines at deep seafloor cobalt-rich crusts and deep seabed polymetallic sulphide mine sites in the Area for the purpose of evaluating the likely effects of exploration and exploitation on the marine environment, held in Kingston from 6 to 10 September 2004;

VII

Effective functioning of the Authority and the Tribunal

25. *Appeals* to all States parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time;

26. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal[53] and to the Protocol on the Privileges and Immunities of the Authority;[54]

VIII

The continental shelf and the work of the Commission

27. *Encourages* States parties to the Convention that are in a position to do so to make every effort to make submissions to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles within the time period established by the Convention, taking into account the decision of the eleventh Meeting of States Parties to the Convention;[55]

28. *Notes with satisfaction* the progress in the work of the Commission,[56] especially that the consideration of the first submissions regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles has begun, and that a number of States have advised of their intention to make submissions in the near future;

29. *Approves* the convening by the Secretary-General of the fifteenth session of the Commission in New York from 4 to 22 April 2005, and of the sixteenth session of the Commission from 29 August to 16 September 2005, on the understanding that the second and third weeks of each session will be used by the Commission for a technical examination of submissions at the Geographic Information System Laboratory and other technical facilities at the Division for Ocean Affairs and the Law of the Sea;

30. *Urges* the Secretary-General to take all necessary actions to ensure that the Commission can fulfil the functions entrusted to it under the Convention;

31. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session proposals on how the requirements of the Commission could be best accommodated, taking into account the concerns expressed in the statement by the Chairman of the Commission at its fourteenth session,[56] regarding the expectation that new submissions will require concomitant meetings of several subcommissions for their examination;

32. *Also requests* the Secretary-General, in cooperation with States and relevant international organizations and institutions, to consider developing and making available training courses, based on the outline for a five-day training course[57] prepared by the Commission in order to facilitate the preparation of submissions in accordance with its Scientific and Technical Guidelines,[58] and welcomes the progress made by the Division for Ocean Affairs and the Law of the Sea in preparing a training manual to assist States in preparation of submissions to the Commission;

33. *Encourages* States to exchange views in order to increase understanding of issues arising from the application of article 76 of the Convention, thus facilitating preparation of submissions by States, in particular developing States, to the Commission, and welcomes initiatives in this regard, including the Conference on Legal and Scientific Aspects of Continental Shelf Limits, held in Reykjavik from 25 to 27 June 2003, the proceedings of which have been published and distributed worldwide;

IX

Maritime safety and security and flag State implementation

34. *Encourages* States to ratify or accede to international agreements addressing the safety and security of navigation and to adopt the necessary measures consistent with the Convention, aimed at implementing and enforcing the rules contained in those agreements;

35. *Welcomes* the adoption by the International Maritime Organization of Guidelines on Places of Refuge for

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[53] SPLOS/25.

[54] ISBA/4/A/8, annex.

[55] SPLOS/72.

[56] See the statement by the Chairman of the Commission on the Limits of the Continental Shelf on the progress of work in the Commission (CLCS/42).

[57] CLCS/24 and Corr.1.

[58] CLCS/11 and Corr.1 and Add.1 and Corr.1.

Ships in Need of Assistance,[59] encourages States to draw up plans and to establish procedures to implement those Guidelines, and invites States to participate in the consideration of those instruments by the International Maritime Organization;

36. *Invites* the International Hydrographic Organization and the International Maritime Organization to continue their coordinated efforts, to jointly adopt measures with a view to encouraging greater international cooperation and coordination for the transition to electronic nautical charts and to increase the coverage of hydrographic information on a global basis, especially in the areas of international navigation and ports and where there are vulnerable or protected marine areas;

37. *Welcomes* the adoption by the General Conference of the International Atomic Energy Agency at its forty-eighth session of resolution GC(48)/RES/10, concerning measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management, including those aspects relating to maritime transport,[60] and also welcomes the approval of the Action Plan for the Safety of Transport of Radioactive Materials by the Board of Governors of the Agency in March 2004;

38. *Once again urges* flag States without an effective maritime administration and appropriate legal frameworks to establish or enhance the necessary infrastructure, legislative and enforcement capabilities to ensure effective compliance with, and implementation and enforcement of, their responsibilities under international law and, until such action is undertaken, to consider declining the granting of the right to fly their flag to new vessels, suspending their registry or not opening a registry;

39. *Welcomes* the report of the Consultative Group on Flag State Implementation,[61] and invites all concerned organizations to disseminate it widely;

40. *Also welcomes* the progress made by the International Maritime Organization on the establishment and further development of a voluntary International Maritime Organization member State audit scheme, in such a manner as not to exclude the possibility in the future of it becoming mandatory;

41. *Requests* that the Secretary-General report to the General Assembly at its sixty-first session on the study undertaken by the International Maritime Organization in cooperation with other competent international organizations following the invitation extended to it in resolution 58/240 and resolution 58/14 of 24 November 2003 to examine and clarify the role of the "genuine link" in relation to the duty of flag States to exercise effective control over ships flying their flag, including fishing vessels, and the potential consequences of non-compliance with duties and obligations of flag States described in relevant international instruments;

42. *Encourages* relevant international organizations to further develop ideas to devise means of discouraging owners and operators from non-compliance with the requirements imposed by flag States in carrying out their duties and obligations under relevant international instruments;

43. *Welcomes* the progress made by the International Labour Organization in the preparation of a consolidated maritime labour convention;

44. *Recognizes* the important role of port State control in promoting the effective enforcement by flag States of, and compliance by shipowners and charterers with, flag States' and internationally agreed safety, labour and pollution standards, as well as maritime security regulations and conservation and management measures, and encourages Member States to improve the exchange of appropriate information between port States control authorities;

45. *Invites* the International Maritime Organization to take steps within its mandate to harmonize, coordinate and evaluate port State control in relation to safety and pollution standards, as well as maritime security regulations and, in collaboration with the International Labour Organization, labour standards so as to promote the implementation of globally agreed minimum standards by all States, and invites the Food and Agriculture Organization of the United Nations to continue its work in promoting port State measures in relation to fishing vessels in order to combat illegal, unreported and unregulated fishing;

46. *Calls upon* flag and port States to take all measures consistent with international law necessary to prevent the operation of sub-standard vessels and illegal, unreported and unregulated fishing activities;

47. *Urges* all States, in cooperation with the International Maritime Organization, to combat piracy and armed robbery at sea by adopting measures, including those relating to assistance with capacity-building through training of seafarers, port staff and enforcement personnel in the prevention, reporting and investigation of incidents, bringing the alleged perpetrators to justice, in accordance with international law, and by adopting national legislation, as well as providing enforcement vessels and equipment and guarding against fraudulent ship registration;

48. *Welcomes* the progress in regional cooperation in the prevention and suppression of piracy and armed robbery at sea in some geographical areas, and urges States to give urgent attention to promoting, adopting and implementing cooperation agreements, in particular at the regional level in high-risk areas;

49. *Notes* the concerns of the Council and the Secretary-General of the International Maritime Organization with regard

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[59] International Maritime Organization, Assembly resolution A.949(23).

[60] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-eighth Regular Session, 20–24 September 2004* (GC(48)/RES/DEC(2004)).

[61] A/59/63.

to keeping shipping lanes of strategic importance and significance safe and open to international maritime traffic and thereby ensuring the uninterrupted flow of traffic, and welcomes the request of the Council in this regard that the Secretary-General of the International Maritime Organization continue work on the issue in collaboration with parties concerned and report developments to the Council at its next session;[62]

50. *Urges* States to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol,[63] invites States to participate in the review of those instruments by the Legal Committee of the International Maritime Organization to strengthen the means of combating such unlawful acts, including terrorist acts, and also urges States to take appropriate measures to ensure the effective implementation of those instruments, in particular through the adoption of legislation, where appropriate, aimed at ensuring that there is a proper framework for responses to incidents of armed robbery and terrorist acts at sea;

51. *Welcomes* the entry into force of the International Ship and Port Facility Security Code and related amendments to the International Convention for the Safety of Life at Sea[64] on 1 July 2004, as well as the adoption by the International Maritime Organization of the theme "International Maritime Organization 2004: Focus on Maritime Security" for the twenty-seventh World Maritime Day, and urges all States to work with that organization to promote safe and secure shipping while ensuring freedom of navigation;

52. *Also welcomes* the entry into force of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime[65] and of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[66] and urges States that have not yet done so to become parties to the Protocols and to take appropriate measures to ensure their effective implementation;

53. *Further welcomes* the adoption by the International Maritime Organization of amendments to the International Convention on Maritime Search and Rescue[67] and to the International Convention for the Safety of Life at Sea[68] relating to the delivery of persons rescued at sea to a place of safety and of the associated Guidelines on the Treatment of Persons Rescued at Sea;[69]

X

Marine environment, marine resources, marine biodiversity and the protection of vulnerable marine ecosystems

54. *Emphasizes once again* the importance of the implementation of Part XII of the Convention in order to protect and preserve the marine environment and its living marine resources against pollution and physical degradation, and calls upon all States to cooperate and take measures, directly or through competent international organizations, for the protection and preservation of the marine environment;

55. *Calls upon* all States that have not yet done so to become parties to and implement the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972,[70] and protect and preserve the marine environment from all sources of pollution and take effective measures, according to their scientific, technical and economic capabilities, to prevent, reduce and, where practicable, eliminate pollution caused by dumping or incineration at sea of wastes or other matter;

56. *Welcomes* the adoption by the International Maritime Organization of amendments to the International Convention for the Prevention of Pollution from Ships of 1973, as modified by the Protocol of 1978 relating thereto, providing for the accelerated phase-out of single-hull tankers and a phase-out scheme for the carriage of heavy grade fuel oil in single-hull tankers;[71]

57. *Also welcomes* the adoption by the International Maritime Organization of the International Convention for the Control and Management of Ships' Ballast Water and Sediments,[72] and calls upon States to become parties to that Convention;

58. *Calls upon* all States that have not yet done so to become parties to the International Convention on the Control of Harmful Anti-fouling Systems on Ships;[73]

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[62] Summary of decisions of the Council of the International Maritime Organization at its ninety-second session, document C 92/D, para. 5.3.

[63] International Maritime Organization publication, Sales No. 462.88.12.E.

[64] International Maritime Organization, documents SOLAS/CONF.5/32 and 34.

[65] Resolution 55/25, annex III.

[66] Ibid., annex II.

[67] Maritime Safety Committee, document MSC/78/26/Add.1, annex 5, resolution MSC.155(78).

[68] Ibid., annex 3, resolution MSC.153(78).

[69] Ibid., annex 34, resolution MSC.167(78).

[70] IMO/LC.2/Circ.380.

[71] Marine Environment Protection Committee, document MEPC 50/3, annex 1, resolution MEPC.111(50).

[72] International Maritime Organization, document BWM/CONF/36, annex.

[73] International Maritime Organization, document AFS/CONF/26, annex.

59. *Welcomes* the adoption of the Protocol establishing an International Oil Pollution Compensation Supplementary Fund,[74] and calls upon States to become parties to that Protocol;

60. *Encourages* States, in accordance with the Convention and other relevant instruments, either bilaterally or regionally, to jointly develop and promote contingency plans for responding to pollution incidents, as well as other incidents that are likely to have significant adverse effects on the marine environment and biodiversity;

61. *Notes with interest* the decision taken at the fifty-second session of the Marine Environment Protection Committee of the International Maritime Organization to designate the Western European Waters as a particularly sensitive sea area;[75]

62. *Welcomes* the entry into force of the Stockholm Convention on Persistent Organic Pollutants,[76] and calls upon all States that have not yet done so to become parties to that Convention;

63. *Calls upon* States to continue to prioritize action on marine pollution from land-based sources as part of their national sustainable development strategies and programmes, in an integrated and inclusive manner, and to advance the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities[77] and the Montreal Declaration on the Protection of the Marine Environment from Land-based Activities;[78]

64. *Welcomes* the adoption of resolution A.962(23) by the International Maritime Organization on 5 December 2003, entitled "International Maritime Organization Guidelines on Ship Recycling", and calls upon States to follow these Guidelines in order to minimize marine pollution;

65. *Also welcomes* the continued work of States, the United Nations Environment Programme and regional organizations in the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, and encourages increased emphasis on the link between freshwater, the coastal zone and marine resources in the implementation of international development goals, including those contained in the United Nations Millennium Declaration[79] and of the time-bound targets in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[80] in particular the target on sanitation, and the Monterrey Consensus of the International Conference on Financing for Development;[81]

66. *Calls upon* States to implement strategies and programmes for an integrated ecosystem-based approach to management, developed by the Conference of the Parties to the Convention on Biological Diversity, the Food and Agriculture Organization of the United Nations and other relevant global and regional organizations, and urges those organizations to cooperate in the development of practical guidance to assist States in this regard;

67. *Takes note* of part two of the addendum to the report of the Secretary-General on oceans and the law of the sea[82] describing the threats and risks to vulnerable and threatened marine ecosystems and biodiversity in areas beyond national jurisdiction, as well as details of conservation and management measures addressing these issues, prepared pursuant to the request contained in paragraph 52 of resolution 58/240;

68. *Reaffirms* the need for States and competent international organizations to urgently consider ways to integrate and improve, on a scientific basis and in accordance with the Convention and related agreements and instruments, the management of risks to the marine biodiversity of seamounts, cold water corals, hydrothermal vents and certain other underwater features;

69. *Welcomes* decision VII/5 on marine and coastal biological diversity adopted at the seventh meeting of the Conference of the Parties to the Convention on Biological Diversity;[83]

70. *Calls upon* States and international organizations to urgently take action to address, in accordance with international law, destructive practices that have adverse impacts on marine biodiversity and ecosystems, including seamounts, hydrothermal vents and cold water corals;

71. *Welcomes* decision VII/28 adopted at the seventh meeting of the Conference of the Parties to the Convention on Biological Diversity in which the Conference decided to establish an ad hoc open-ended working group on protected areas,[83] and encourages the participation of oceans experts in the working group;

72. *Reaffirms* the need for States to continue their efforts to develop and facilitate the use of diverse approaches and tools

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[74] Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (LEG/Conf.14/20).

[75] Marine Environment Protection Committee, document MEPC 52/24, annex 10, resolution MEPC.121(52).

[76] United Nations Treaty registration No. 40214. Available from www.pops.int.

[77] A/51/116, annex II.

[78] See A/57/57, annex I.B.

[79] See resolution 55/2.

[80] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[81] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[82] A/59/62/Add.1.

[83] See UNEP/CBD/COP/7/21, annex.

for conserving and managing vulnerable marine ecosystems, including the possible establishment of marine protected areas, consistent with international law and based on the best scientific information available, and the development of representative networks of any such marine protected areas by 2012;

73. *Decides* to establish an Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction:

(*a*) To survey the past and present activities of the United Nations and other relevant international organizations with regard to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction;

(*b*) To examine the scientific, technical, economic, legal, environmental, socio-economic and other aspects of these issues;

(*c*) To identify key issues and questions where more detailed background studies would facilitate consideration by States of these issues;

(*d*) To indicate, where appropriate, possible options and approaches to promote international cooperation and coordination for the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction;

74. *Requests* the Secretary-General to report on the issues referred to in paragraph 73 above in the context of his report on oceans and the law of the sea to the General Assembly at its sixtieth session, in order to assist the Ad Hoc Open-ended Informal Working Group in preparing its agenda, in consultation with all relevant international bodies; to convene the meeting of the Working Group in New York not later than six months after the release of the report; and to arrange support for the performance of its work to be provided by the Division for Ocean Affairs and the Law of the Sea;

75. *Encourages* States to include relevant experts in their delegations attending the meeting of the Working Group;

76. *Recognizes* the importance of making the outcomes of the Working Group widely available;

77. *Urges* States and relevant global and regional bodies to enhance their cooperation in the protection and preservation of mangroves, seagrass beds and coral reefs, including through the exchange of information;

78. *Reiterates its support* for the International Coral Reef Initiative, takes note of the tenth International Coral Reef Symposium, held in Okinawa, Japan, in 2004, supports the work under the Jakarta Mandate on Marine and Coastal Biological Diversity,[84] and the elaborated Programme of Work on Marine and Coastal Biological Diversity,[85] and notes the progress that the International Coral Reef Initiative and other relevant bodies have made to incorporate cold water coral ecosystems into their programmes;

79. *Encourages* States to cooperate, directly or through competent international bodies, in exchanging information in the event of accidents involving foreign vessels on coral reefs and in promoting the development of economic assessment techniques for both restoration and non-use values of coral reef systems;

80. *Emphasizes* the need to mainstream sustainable coral reef management and integrated watershed management into national development strategies, as well as into the activities of relevant United Nations agencies and programmes, international financial institutions and the donor community;

XI

Marine science

81. *Calls upon* States, individually, or in collaboration with each other or with relevant international organizations and bodies, to improve understanding and knowledge of the deep sea, including, in particular, the extent and vulnerability of deep sea biodiversity and ecosystems, by increasing their marine scientific research activities in accordance with the Convention;

82. *Notes* the potential for gas hydrates as one source for energy development, as well as the possible associated risks, including those in the context of climate change, and encourages States and, if appropriate, the Authority and the international scientific community to continue to cooperate in deepening the understanding of the issues and in investigating the feasibility, methodology, safety and environmental impacts of the extraction of gas hydrates from the seabed, their distribution and their use;

83. *Also notes* the potential for cobalt-rich ferromanganese crusts and polymetallic sulphides as important sources of minerals, and in this context encourages States, the Authority and the scientific community to cooperate to explore this potential and to minimize the environmental impacts of the exploration;

XII

Regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects

84. *Takes note* of the report on the International Workshop on the regular process for global reporting and assessment of the state of the marine environment, including

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[84] See A/51/312, annex II, decision II/10.

[85] UNEP/CBD/COP/7/21, annex, decision VII/5, annex I.

socio-economic aspects ("the regular process"),[86] including its draft conclusions, convened to consider and review the draft document prepared by the group of experts;

85. *Recognizes* the urgent need to initiate a start-up phase, the "Assessment of Assessments", as a preparatory stage towards the establishment of the regular process provided for in the Johannesburg Plan of Implementation[47] and resolutions 57/141 and 58/240;

86. *Requests* the Secretary-General to convene the second International Workshop on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects, from 13 to 15 June 2005 with representatives from States, relevant organizations, agencies and programmes of the United Nations system, other competent intergovernmental organizations and relevant non-governmental organizations, to continue considering issues relating to the establishment of the process, including the scope of the process and a task force to initiate the start-up phase, the "Assessment of Assessments";

87. *Also requests* the Secretary-General to report on progress relating to establishment of the aforementioned regular process in his annual report to the General Assembly at its sixtieth session;

XIII

Regional cooperation

88. *Emphasizes once again* the importance of regional organizations and arrangements for cooperation and coordination in integrated oceans management, and, where there are separate regional structures for different aspects of oceans management, such as environmental protection and conservation of marine ecosystems, fisheries management, navigation, scientific research and maritime delimitation, calls for those different structures, where appropriate, to work together for optimal cooperation and coordination;

89. *Notes* that there have been a number of initiatives at the regional level, in various regions, to further the implementation of the Convention, takes note in this context of the Caribbean-focused Assistance Fund, which is intended to facilitate, mainly through technical assistance, the voluntary undertaking of maritime delimitation negotiations between Caribbean States, takes note once again of the Fund for Peace: Peaceful Settlement of Territorial Disputes, established by the General Assembly of the Organization of American States in 2000 as a primary mechanism, given its broader regional scope, for the prevention and resolution of pending territorial, land border and maritime boundary disputes, and calls upon States and others in a position to do so to contribute to these funds;

XIV

Open-ended informal consultative process on oceans and the law of the sea

90. *Requests* the Secretary-General to convene the sixth meeting of the Consultative Process in New York from 6 to 10 June 2005 and to provide it with the necessary facilities for the performance of its work and to arrange for support, as appropriate;

91. *Recalls* its decision to further review the effectiveness and utility of the Consultative Process at its sixtieth session;

92. *Recommends* that, in its deliberations on the report of the Secretary-General on oceans and the law of the sea at its meeting, the Consultative Process should organize its discussions around the following areas:

(*a*) Fisheries and their contribution to sustainable development;

(*b*) Marine debris;

as well as issues discussed at previous meetings;

XV

Inter-agency coordination and cooperation

93. *Notes* the establishment of the Oceans and Coastal Areas Network (UN-Oceans), a new inter-agency mechanism for coordination and cooperation on issues relating to oceans and coastal issues, called for in paragraph 69 of resolution 58/240;

94. *Urges* the close and continuous involvement in UN-Oceans of all relevant United Nations programmes, funds and the specialized agencies and other organizations of the United Nations system and the participation of international financial institutions, relevant intergovernmental and other organizations, as well as the Authority and the secretariats of multilateral environmental agreements;

95. *Requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies and funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, drawing their attention to paragraphs of particular relevance to them, and underlines the importance of their constructive and timely input for the report of the Secretary-General on oceans and the law of the sea and of their participation in relevant meetings and processes;

96. *Invites* the competent international organizations, as well as funding institutions, to take specific account of the present resolution in their programmes and activities and to contribute to the preparation of the comprehensive report of the Secretary-General on oceans and the law of the sea;

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[86] A/59/126.

97. *Encourages* the sponsoring organizations of the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection to continue to support and provide the necessary assistance to the process of restructuring the Group of Experts;

XVI

Activities of the Division for Ocean Affairs and the Law of the Sea

98. *Expresses its appreciation* to the Secretary-General for the annual comprehensive report on oceans and the law of the sea and its addendum,[49] prepared by the Division for Ocean Affairs and the Law of the Sea, as well as for the other activities of the Division, in accordance with the provisions of the Convention and the mandate set forth in resolutions 49/28, 52/26, 54/33, and 56/12 of 28 November 2001;

99. *Requests* the Secretary-General to continue to carry out the responsibilities entrusted to him in the Convention and related resolutions of the General Assembly, including resolutions 49/28 and 52/26, and to ensure that appropriate resources are made available to the Division for Ocean Affairs and the Law of the Sea for the performance of such responsibilities under the approved budget for the Organization;

100. *Invites* Member States and others in a position to do so to support the capacity-building activities of the Division for Ocean Affairs and the Law of the Sea, including, in particular, the training activities to assist developing States in the preparation of their submission to the Commission, and the TRAIN-SEA-COAST Programme of the Division;

XVII

Sixtieth session of the General Assembly

101. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution, including other developments and issues relating to ocean affairs and the law of the sea, in connection with his annual comprehensive report on oceans and the law of the sea, and to provide the report in accordance with the modalities set out in resolutions 49/28, 52/26 and 54/33, and also requests the Secretary-General to make the report available, in its current comprehensive format, at least six weeks in advance of the meeting of the Consultative Process;

102. *Notes* that the report referred to in paragraph 101 above will also be presented to States parties pursuant to article 319 of the Convention regarding issues of a general nature that have arisen with respect to the Convention;

103. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Oceans and the law of the sea".

RESOLUTION 59/25

Adopted at the 56th plenary meeting, on 17 November 2004, without a vote, on the basis of draft resolution A/59/L.23 and Add.1, sponsored by: Australia, Austria, Belgium, Belize, Brazil, Cameroon, Canada, Cyprus, Denmark, Fiji, Finland, Germany, Greece, Iceland, Ireland, Italy, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Poland, Portugal, Saint Lucia, Samoa, Sierra Leone, Spain, Sweden, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

59/25. Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments

The General Assembly,

Reaffirming its resolutions 46/215 of 20 December 1991, 49/116 and 49/118 of 19 December 1994, 50/25 of 5 December 1995 and 57/142 of 12 December 2002, as well as other resolutions on large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments, its resolutions 56/13 of 28 November 2001 and 57/143 of 12 December 2002 on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks ("the Agreement"),[87] and its resolution 58/14 of 24 November 2003,

Recalling the relevant provisions of the United Nations Convention on the Law of the Sea ("the Convention"),[88] and bearing in mind the relationship between the Convention and the Agreement,

Recognizing that, in accordance with the Convention, the Agreement sets forth provisions concerning the conservation and management of straddling fish stocks and highly migratory fish stocks, including provisions on subregional and regional cooperation in enforcement, binding dispute settlement and the rights and obligations of States in authorizing the use of vessels flying their flags for fishing on the high seas, and specific provisions to address the requirements of developing States in relation to the conservation and management of straddling fish stocks and highly migratory fish stocks and the development of fisheries for such stocks,

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[87] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

[88] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

Noting that the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations ("the Code")[89] and its associated international plans of action set out principles and global standards of behaviour for responsible practices for the conservation of fisheries resources and the management and development of fisheries,

Noting with concern that effective management of marine capture fisheries has been made difficult in some areas by unreliable information and data caused by unreported and misreported fish catch and fishing effort and the contribution this lack of data makes to continued overfishing in some areas,

Noting with satisfaction the Strategy for Improving Information on Status and Trends of Capture Fisheries recently adopted by the Food and Agriculture Organization of the United Nations,[90] and recognizing that the long-term improvement of the knowledge and understanding of fishery status and trends is a fundamental basis for fisheries policy and management for implementing the Code,

Recognizing the need to implement, as a matter of priority, the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[91] in relation to achieving sustainable fisheries,

Deploring the fact that fish stocks, including straddling fish stocks and highly migratory fish stocks, in many parts of the world are overfished or subject to sparsely regulated and heavy fishing efforts, mainly as a result of, inter alia, unauthorized fishing, inadequate regulatory measures, harmful fisheries subsidies and excess fishing capacity,

Concerned that illegal, unreported and unregulated fishing threatens seriously to deplete populations of certain fish species and to significantly damage marine ecosystems, to the detriment of sustainable fisheries as well as the food security and the economies of many States, particularly developing States,

Noting with satisfaction resolution 6/2003 of 9 December 2003, adopted by the Conference of the Food and Agriculture Organization of the United Nations, relating to preventing, deterring and eliminating illegal, unreported and unregulated fishing,[92]

Recognizing that the problem of overfishing continues to be exacerbated by inadequate flag State control over fishing vessels, including those fishing for straddling fish stocks and highly migratory fish stocks, and insufficient monitoring, control and surveillance measures,

Recognizing also that the interrelationship between ocean activities, such as shipping and fishing, and environmental issues needs further consideration,

Noting that the contribution of aquaculture to global fish supplies continues to increase its potential in developing countries to enhance local food security and poverty alleviation and meet future demands in fish consumption, bearing in mind article 9.1.4 of the Code,

Calling attention to the circumstances affecting fisheries in many developing States, in particular African States and small island developing States, and recognizing the urgent need for capacity-building to assist such States in meeting their obligations under international instruments and realizing the benefits from fisheries resources,

Noting the obligation of all States, pursuant to the provisions of the Convention, to cooperate in the conservation and management of straddling fish stocks and highly migratory fish stocks, and recognizing the importance of coordination and cooperation at the global, regional, subregional as well as national levels in the areas, inter alia, of data collection, information-sharing, capacity-building and training for the conservation, management and sustainable development of marine living resources,

Recognizing the duty provided in the Convention, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas ("the Compliance Agreement"),[93] the Agreement and the Code for flag States to exercise effective control over fishing vessels flying their flag and vessels flying their flag which provide support to such vessels, and to ensure that the activities of such vessels do not undermine the effectiveness of conservation and management measures taken in accordance with international law and adopted at the national, subregional, regional or global levels,

Recognizing also the urgent need for action at all levels to ensure the long-term sustainable use and management of fisheries resources through the wide application of a precautionary approach and appropriate measures to reduce pollution and waste, and other factors, such as discards and catch by lost or abandoned gear, which adversely affect fish stocks,

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[89] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. III.

[90] Food and Agriculture Organization of the United Nations, *Report of the twenty-fifth session of the Committee on Fisheries, Rome, 24–28 February 2003*, appendix H.

[91] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[92] Food and Agriculture Organization of the United Nations, *Report of the Conference of the Food and Agriculture Organization of the United Nations, Thirty-second Session, Rome, 29 November–9 December 2003* (C 2003/REP).

[93] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. II.

Recognizing further the economic and cultural importance of sharks in many countries, the biological importance of sharks in the marine ecosystem, the vulnerability of some shark species to over-exploitation, the need for measures to promote the long-term sustainability of shark populations and fisheries and the relevance of the International Plan of Action for the Conservation and Management of Sharks, adopted by the Food and Agriculture Organization of the United Nations in 1999, in providing development guidance of such measures,

Reaffirming its support for the initiative of the Food and Agriculture Organization of the United Nations and relevant regional and subregional fisheries management organizations and arrangements on the conservation and management of sharks, while noting with concern that only a small number of countries have implemented the International Plan of Action for the Conservation and Management of Sharks,

Noting with satisfaction the outcomes of the third round of informal consultations of States parties to the Agreement, held in New York on 8 July 2004,

Taking note with appreciation of the report of the Secretary-General,[94] including the section outlining current risks to the marine biodiversity of vulnerable marine ecosystems related to fishing activities, and conservation and management measures in place at the global, regional, subregional or national levels addressing these issues, in particular the useful role of the report in gathering and disseminating information on or relating to the sustainable development of the world's marine living resources,

Expressing concern that the practice of large-scale pelagic drift-net fishing remains a threat to marine living resources, although the incidence of this practice has continued to be low in most regions of the world's oceans and seas,

Emphasizing that efforts should be made to ensure that the implementation of resolution 46/215 in some parts of the world does not result in the transfer to other parts of the world of drift nets that contravene the resolution,

Expressing concern, while recognizing considerable efforts to reduce by-catch in longline fishing through various regional fisheries management organizations, at the reports of continued loss of seabirds, particularly albatrosses, as a result of incidental mortality from longline fishing operations, and the loss of other marine species, including sharks, fin-fish species and marine turtles, as a result of incidental mortality,

Welcoming the fact that a growing number of States, and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement, as well as regional and subregional fisheries management organizations and arrangements, have taken measures, as appropriate, towards the implementation of the provisions of the Agreement,

Recognizing the significant contribution of sustainable fisheries to food security, income and wealth for present and future generations,

I

Achieving sustainable fisheries

1. *Reaffirms* the importance it attaches to the long-term conservation, management and sustainable use of the marine living resources of the world's oceans and seas and the obligations of States to cooperate to this end, in accordance with international law, as reflected in the relevant provisions of the Convention,[88] in particular the provisions on cooperation set out in Part V and Part VII, section 2, of the Convention, and where applicable, the Agreement;[87]

2. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention, which sets out the legal framework within which all activities in the oceans and seas must be carried out, taking into account the relationship between the Convention and the Agreement;

3. *Reaffirms* the importance of the Johannesburg Plan of Implementation in relation to fisheries, in particular the commitment made therein to restore depleted fish stocks on an urgent basis and, where possible, not later than 2015;[95]

4. *Urges* all States to apply the precautionary approach and the ecosystem approach widely to the conservation, management and exploitation of fish stocks, including straddling fish stocks and highly migratory fish stocks, and also calls upon States parties to the Agreement to implement fully the provisions of article 6 of the Agreement as a matter of priority;

II

Implementation of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

5. *Calls upon* all States, and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement,

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[94] A/59/298.

[95] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex, para. 31 (*a*).

that have not done so to ratify or accede to the Agreement and in the interim to consider applying it provisionally;

6. *Emphasizes* the importance of the effective implementation of the provisions of the Agreement, including those provisions relating to bilateral, regional and subregional cooperation in enforcement, and urges continued efforts in this regard;

7. *Welcomes* the entry into force of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean on 19 June 2004, and encourages relevant States to become Parties to that Convention in accordance with its terms;

8. *Also welcomes* the inaugural meeting at Swakopmund, Namibia, from 9 to 13 March 2004 of the Commission of the South-East Atlantic Fisheries Organization as well as its continual operationalization and assumption of full competence for the conservation and management of resources that fall under its responsibility within the area of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean, and encourages signatory States and other States with real interest whose vessels fish in that Convention area for fishery resources covered by that Convention to become parties to the Convention and, in the interim, to consider applying it and the measures adopted thereunder provisionally, to ensure that vessels entitled to fly their flags apply such measures;

9. *Calls upon* all States to ensure that their vessels comply with the conservation and management measures that have been adopted by subregional and regional fisheries management organizations and arrangements in accordance with relevant provisions of the Convention and of the Agreement;

10. *Urges* States parties to the Agreement, in accordance with article 21, paragraph 4, thereof to inform, either directly or through the relevant regional or subregional fisheries management organization or arrangement, all States whose vessels fish on the high seas in the same region or subregion of the form of identification issued by those States parties to officials duly authorized to carry out boarding and inspection functions in accordance with articles 21 and 22 of the Agreement;

11. *Also urges* States parties to the Agreement, in accordance with article 21, paragraph 4, to designate an appropriate authority to receive notifications pursuant to article 21 and to give due publicity to such designation through the relevant subregional or regional fisheries management organization or arrangement;

12. *Invites* States and international financial institutions and organizations of the United Nations system to provide assistance according to Part VII of the Agreement, including, if appropriate, the development of special financial mechanisms or instruments to assist developing States, in particular the least developed among them and small island developing States, to enable them to develop their national capacity to exploit fishery resources, including developing their domestically flagged fishing fleet, value-added processing and the expansion of their economic base in the fishing industry, consistent with the duty to ensure the proper conservation and management of those fisheries resources;

13. *Recalls* paragraph 10 of its resolution 58/14, in which it decided to establish an Assistance Fund under Part VII of the Agreement to assist developing States parties in the implementation of the Agreement, and encourages States, intergovernmental organizations, international financial institutions, national institutions, non-governmental organizations, as well as natural and juridical persons to make voluntary financial contributions to the Fund;

14. *Notes with satisfaction* the conclusion of an arrangement between the United Nations and the Food and Agriculture Organization of the United Nations regarding the administration of the Assistance Fund;

15. *Emphasizes* the importance of outreach to potential donor organizations to contribute to the programme of assistance, including the Assistance Fund;

16. *Requests* the Secretary-General to convene, pursuant to article 36 of the Agreement, a one-week review conference in the first part of 2006, with a view to assessing the effectiveness of the Agreement in securing the conservation and management of straddling fish stocks and highly migratory fish stocks, and to render the necessary assistance and provide such services as may be required for the review conference;

17. *Also requests* the Secretary-General to present to the conference a comprehensive report, prepared in cooperation with the Food and Agriculture Organization of the United Nations, in accordance with paragraph 2 of article 36 of the Agreement;

18. *Recalls* paragraph 6 of its resolution 56/13, and requests the Secretary-General to convene a fourth round of informal consultations of States parties to the Agreement, to consider, principally, but not exclusively, issues related to preparations for the review conference to be convened by the Secretary-General pursuant to article 36 of the Agreement, and to make any appropriate recommendation to the General Assembly;

19. *Requests* the Secretary-General to invite States, and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement, not party to the Agreement, as well as the United Nations Development Programme, the Food and Agriculture Organization of the United Nations and other specialized agencies, the Commission on Sustainable Development, the World Bank, the Global Environment Facility and other relevant international financial institutions, subregional and regional fisheries management organizations and arrangements, other fisheries bodies, and relevant non-

governmental organizations to attend the fourth round of informal consultations of States parties to the Agreement as observers;

III

Related fisheries instruments

20. *Emphasizes* the importance of the effective implementation of the provisions of the Compliance Agreement,[93] and urges continued efforts in this regard;

21. *Calls upon* all States and other entities referred to in article X, paragraph 1, of the Compliance Agreement that have not yet become parties to that Agreement to do so as a matter of priority and, in the interim, to consider applying it provisionally;

22. *Urges* parties to the Compliance Agreement to exchange information in the implementation of that Agreement;

23. *Urges* States and subregional and regional fisheries management organizations and arrangements to implement and promote the application of the Code[89] within their areas of competence;

24. *Urges* States, as a matter of priority, to support implementation of the Strategy for Improving Information on Status and Trends of Capture Fisheries[90] at the national and regional levels, giving particular emphasis to capacity-building in developing countries;

25. *Also urges* States to develop and implement, as a matter of priority, national and, as appropriate, regional plans of action to put into effect the international plans of action of the Food and Agriculture Organization of the United Nations;

IV

Illegal, unreported and unregulated fishing

26. *Emphasizes once again its serious concern* that illegal, unreported and unregulated fishing remains one of the greatest threats to marine ecosystems and continues to have serious and major implications for the conservation and management of ocean resources, and renews its call upon States to comply fully with all existing obligations and to combat such fishing and urgently to take all necessary steps to implement the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing of the Food and Agriculture Organization of the United Nations;

27. *Calls upon* States not to permit vessels flying their flag to engage in fishing on the high seas or in areas under the national jurisdiction of other States, unless duly authorized by the authorities of the States concerned and in accordance with the conditions set out in the authorization, without having effective control over their activities, and to take specific measures, including deterring the reflagging of vessels by their nationals, in accordance with the relevant provisions of the Convention, the Agreement and the Compliance Agreement, to control fishing operations by vessels flying their flag;

28. *Affirms* the need to strengthen, where necessary, the international legal framework for intergovernmental cooperation, in particular at the regional and subregional levels, in the management of fish stocks and in combating illegal, unreported and unregulated fishing, in a manner consistent with international law, and for States and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement to collaborate in efforts to address these types of fishing activities, including, inter alia, the development and implementation of vessel monitoring systems and the listing of vessels in order to prevent illegal, unreported, and unregulated fishing activities and, where appropriate and consistent with international law, trade monitoring schemes, including to collect global catch data, through subregional and regional fisheries management organizations and arrangements;

29. *Encourages* States to consider becoming members of the International Monitoring, Control and Surveillance Network for Fisheries-Related Activities, a voluntary network of monitoring, control and surveillance professionals designed to facilitate exchange of information and to support countries in discharging their obligations pursuant to international agreements, in particular the Compliance Agreement;

30. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the study undertaken by the International Maritime Organization, in cooperation with other competent international organizations, following the invitation extended to it in resolution 58/14 and resolution 58/240 of 23 December 2003, to examine and clarify the role of the "genuine link" in relation to the duty of flag States to exercise effective control over ships flying their flag, including fishing vessels, and the potential consequences of non-compliance with the duties and obligations of flag States prescribed in the relevant international instruments;

31. *Calls upon* flag and port States to take all measures consistent with international law necessary to prevent the operation of sub-standard vessels and illegal, unreported and unregulated fishing activities;

32. *Encourages* the Food and Agriculture Organization of the United Nations and subregional and regional fisheries management organizations and arrangements to develop further ideas to devise means of discouraging owners and operators from non-compliance with the requirements imposed by flag States in carrying out their duties and obligations under relevant international instruments;

33. *Recognizes* the commitment made in the Johannesburg Plan of Implementation for States urgently to develop and implement national and, where appropriate, regional plans of action, to put into effect by 2004 the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, and to establish effective monitoring,

reporting, enforcement and control of fishing vessels, including by flag States, to further the International Plan of Action, and calls upon States to adhere to this commitment as a matter of priority;

34. *Also recognizes* that common means of conducting illegal, unreported and unregulated fishing involves the unreported or misreported transshipments of fish at sea, and urges States, either directly or through relevant subregional and regional fisheries management organizations and arrangements, to establish comprehensive systems, where appropriate, for monitoring and control of transshipments on the high seas;

35. *Urges* relevant regional and subregional fisheries management organizations and arrangements to implement effective measures against illegal, unreported and unregulated fishing, inter alia, by compiling a record of vessels authorized to fish in their area of competence, in accordance with the Code;

36. *Commends* the Food and Agriculture Organization of the United Nations for its activities in combating illegal, unreported and unregulated fishing, including its initiative to organize the intergovernmental technical consultation on the role of the port State in combating illegal, unreported and unregulated fishing, held from 31 August to 2 September 2004, and welcomes the outcome of the consultation;

37. *Urges* States to eliminate subsidies that contribute to illegal, unreported and unregulated fishing, while completing the efforts undertaken at the World Trade Organization to clarify and improve its disciplines on fisheries subsidies, taking into account the importance of this sector to developing countries;

38. *Recognizes* the need for enhanced port State controls to combat illegal, unreported and unregulated fishing, urges States to cooperate, in particular at the regional level, and through regional and subregional fisheries management organizations and arrangements, as well as through participation, where appropriate, in the efforts of the Food and Agriculture Organization of the United Nations in cooperation with the International Maritime Organization to address substantive issues relating to the role of the port State, noting that such efforts include the elaboration of a draft model scheme on port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing;

V

Fishing overcapacity

39. *Calls upon* States and relevant regional and subregional fisheries management organizations and arrangements, as a matter of priority, to take effective measures to improve the management of fishing capacity and to put into effect by 2005 the International Plan of Action for the Management of Fishing Capacity, taking into account the need, through these actions, to avoid the transfer of fishing capacity to other fisheries or areas including, but not limited to, those areas where fish stocks are overexploited or in a depleted condition;

40. *Urges* States to eliminate subsidies that contribute to fishing overcapacity, while completing the efforts undertaken at the World Trade Organization to clarify and improve its disciplines on fisheries subsidies, taking into account the importance of this sector to developing countries;

41. *Notes with satisfaction* that information about more than 5,500 fishing vessels authorized to fish on the high seas has been provided to the Food and Agriculture Organization of the United Nations by at least seventeen flag States and entered on the High Seas Vessels Authorization Record established by the Organization in accordance with article VI of the Compliance Agreement, and urges those States and other entities referred to in article X, paragraph 1, of the Compliance Agreement that have become parties to it to establish a record of fishing vessels authorized to fish on the high seas and, pursuant to articles IV and VI thereof, to make such a record available to the Organization as a matter of priority, and promptly to notify the Organization of any modifications to such a record;

42. *Calls upon* all States to assist this work of the Food and Agriculture Organization of the United Nations, and to take measures to halt the increase of large-scale fishing vessels in accordance with the International Plan of Action for the Management of Fishing Capacity;

43. *Welcomes* the significant outcomes of the Technical Consultation to Review Progress and Promote the Full Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the International Plan of Action for the Management of Fishing Capacity of the Food and Agriculture Organization of the United Nations, held from 24 to 29 June 2004, which recommended specific actions to the Committee on Fisheries of the Food and Agriculture Organization of the United Nations and other relevant regional and subregional fisheries management organizations and arrangements with regard to illegal, unreported and unregulated fishing and fishing overcapacity, and also suggested measures to be taken by States and fishing entities regarding expanding fishing capacity by certain fishing operations in the Central and Western Pacific Ocean;

VI

Large-scale pelagic drift-net fishing

44. *Reaffirms* the importance it attaches to continued compliance with its resolution 46/215 and other subsequent resolutions on large-scale pelagic drift-net fishing, and urges States and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement to enforce fully the measures recommended in those resolutions;

VII

Fisheries by-catch and discards

45. *Urges* States, relevant international organizations and regional and subregional fisheries management organizations and arrangements that have not done so to take action to reduce or eliminate by-catch, catch by lost or abandoned gear, fish discards and post-harvest losses, including juvenile fish, consistent with international law and relevant international instruments, including the Code, and in particular to consider measures including, as appropriate, technical measures related to fish size, mesh size or gear, discards, closed seasons and areas and zones reserved for selected fisheries, particularly artisanal fisheries, the establishment of mechanisms for communicating information on areas of high concentration of juvenile fish, taking into account the importance of ensuring confidentiality of such information, and support for studies and research that will reduce or eliminate by-catch of juvenile fish;

46. *Encourages* States and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement to give due consideration to participation, as appropriate, in regional and subregional organizations with mandates to conserve non-target species taken incidentally in fishing operations, and notes in particular the Inter-American Convention for the Protection and Conservation of Sea Turtles and Their Habitats, regional sea turtle conservation instruments in the West African, the wider Caribbean, and the Indian Ocean/ South-East Asia regions, the work of the Southeast Asian Fisheries Development Centre on turtle conservation and management, the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas,[90] and the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area in this regard;

47. *Notes with satisfaction* the entry into force on 1 February 2004 of the Agreement on the Conservation of Albatrosses and Petrels under the Convention on the Conservation of Migratory Species of Wild Animals, and encourages relevant States which have not already done so to become parties to that Agreement in accordance with its terms;

48. *Also notes with satisfaction* the activities of the Food and Agriculture Organization of the United Nations, in cooperation with relevant United Nations agencies and programmes, in particular the United Nations Environment Programme and the Global Environment Facility, aimed at promoting the reduction of by-catch and discards in fisheries activities;

49. *Notes* the Technical Consultation on Sea Turtles Conservation and Fisheries to be organized by the Food and Agriculture Organization of the United Nations from 29 November to 2 December 2004, and encourages States to participate actively in this work;

VIII

Subregional and regional cooperation

50. *Urges* coastal States and States fishing on the high seas, in accordance with the Convention and the Agreement, to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks, either directly or through appropriate subregional or regional fisheries management organizations or arrangements, to ensure the effective conservation and management of such stocks;

51. *Encourages* States fishing for straddling fish stocks and highly migratory fish stocks on the high seas, and relevant coastal States, where a subregional or regional fisheries management organization or arrangement has the competence to establish conservation and management measures for such stocks, to give effect to their duty to cooperate by becoming members of such an organization or participants in such an arrangement, or by agreeing to apply the conservation and management measures established by such an organization or arrangement;

52. *Invites*, in this regard, subregional and regional fisheries management organizations and arrangements to ensure that all States having a real interest in the fisheries concerned may become members of such organizations or participants in such arrangements, in accordance with the Convention and the Agreement;

53. *Encourages* relevant coastal States and States fishing on the high seas for a straddling fish stock or a highly migratory fish stock, where there is no subregional or regional fisheries management organization or arrangement to establish conservation and management measures for such stock, to cooperate to establish such an organization or enter into another appropriate arrangement to ensure the conservation and management of such stocks, and to participate in the work of the organization or arrangement;

54. *Welcomes* the initiation of negotiations and ongoing preparatory work to establish regional and subregional fisheries management organizations or arrangements in several fisheries, and urges participants in those negotiations to apply provisions of the Convention and the Agreement to their work;

55. *Notes with satisfaction*, in this regard, the recent recommendation of the Western Central Atlantic Fisheries Commission that established an intersessional working group tasked to study the feasibility of strengthening regional fisheries management in that region, encourages relevant States and organizations to work actively to fulfil the recommendation, and notes the important contribution of the Caribbean Regional Fisheries Mechanism to this process;

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[90] United Nations, *Treaty Series*, vol. 1772, No. 30865.

56. *Encourages* States to develop ocean policies and mechanisms on integrated management, including at the subregional and regional levels, and also including assistance to developing States in accomplishing these objectives, as well as by promoting improved cooperation between regional fisheries management organizations and other regional entities, such as the United Nations Environment Programme regional seas programmes and conventions;

57. *Encourages* subregional or regional fisheries management organizations or arrangements and States and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement that are members of or participate in such organizations or arrangements, to consider adopting, where appropriate and in accordance with international law, conservation and management measures for fish stocks that fall within the competence of such organizations and/or arrangements but are not yet managed by them, in particular for those stocks that have vulnerable life histories, that scientific data indicate are in decline and/or are subject to an international plan of action of the Food and Agriculture Organization of the United Nations;

IX

Responsible fisheries in the marine ecosystem

58. *Encourages* States to apply by 2010 the ecosystem approach, notes the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem[97] and decision VII/11[98] and other relevant decisions of the Conference of the Parties to the Convention on Biological Diversity, notes the work of the Food and Agriculture Organization of the United Nations related to guidelines for the implementation of the ecosystem approach to fisheries management, and also notes the importance to this approach of relevant provisions of the Agreement and the Code;

59. *Also encourages* States to increase scientific research in accordance with international law on the marine ecosystem;

60. *Calls upon* States, the Food and Agriculture Organization of the United Nations, the International Maritime Organization, the United Nations Environment Programme, in particular its Regional Seas programme, regional and subregional fisheries management organizations and arrangements and other appropriate intergovernmental organizations that have not yet done so to take action to address the issue of lost or abandoned fishing gear and related marine debris, including through the collection of data on gear loss, economic costs to fisheries and other sectors, and the impact on marine ecosystems;

61. *Requests* the Secretary-General, in his next report concerning fisheries, to include information on the actions taken by the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, in particular its Regional Seas programme, the International Maritime Organization, regional and subregional fisheries management organizations and arrangements, and other appropriate intergovernmental organizations, to give effect to paragraph 60 above;

62. *Urges* States to ratify and implement relevant international agreements, including annex V to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto;

63. *Calls upon* States, where relevant, to establish systems for retrieving lost gear and nets;

64. *Notes* that 2005 will mark the ten-year anniversary of the adoption of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,[99] and urges all States to implement the Global Programme of Action and to accelerate activity to safeguard the marine ecosystem, including fish stocks, against pollution and physical degradation;

65. *Calls upon* States, the Food and Agriculture Organization of the United Nations and other specialized agencies of the United Nations, subregional and regional fisheries management organizations and arrangements, where appropriate, and other appropriate intergovernmental bodies, to cooperate in achieving sustainable aquaculture, including through information exchange, developing equivalent standards on such issues as aquatic animal health and human health and safety concerns, assessing the potential positive and negative impacts of aquaculture, including socio-economics, on the marine and coastal environment, including biodiversity, and adopting relevant methods and techniques to minimize and mitigate adverse effects;

66. *Calls upon* States, either by themselves or through regional fisheries management organizations or arrangements, where these are competent to do so, to take action urgently, and consider on a case-by-case basis and on a scientific basis, including the application of the precautionary approach, the interim prohibition of destructive fishing practices, including bottom trawling that has adverse impacts on vulnerable marine ecosystems, including seamounts, hydrothermal vents and cold water corals located beyond national jurisdiction, until such time as appropriate conservation and management measures have been adopted in accordance with international law;

67. *Calls upon* regional fisheries management organizations or arrangements with the competence to regulate

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[97] E/CN.17/2002/PC.2/3, annex.

[98] See UNEP/CBD/COP/7/21, annex.

[99] A/51/116, annex II.

bottom fisheries urgently to adopt, in their regulatory areas, appropriate conservation and management measures, in accordance with international law, to address the impact of destructive fishing practices, including bottom trawling that has adverse impacts on vulnerable marine ecosystems, and to ensure compliance with such measures;

68. *Calls upon* members of regional fisheries management organizations or arrangements without the competence to regulate bottom fisheries and the impacts of fishing on vulnerable marine ecosystems to expand the competence, where appropriate, of their organizations or arrangements in this regard;

69. *Calls upon* States urgently to cooperate in the establishment of new regional fisheries management organizations or arrangements, where necessary and appropriate, with the competence to regulate bottom fisheries and the impacts of fishing on vulnerable marine ecosystems in areas where no such relevant organization or arrangement exists;

70. *Requests* the Secretary-General, in cooperation with the Food and Agriculture Organization of the United Nations, to include in his next report concerning fisheries a section on the actions taken by States and regional fisheries management organizations and arrangements to give effect to paragraphs 66 to 69 above, in order to facilitate discussion of the matters covered in those paragraphs;

71. *Agrees* to review within two years progress on action taken in response to the requests made in paragraphs 66 to 69 above, with a view to further recommendations, where necessary, in areas where arrangements are inadequate;

72. *Calls upon* States, the Food and Agriculture Organization of the United Nations and subregional or regional fisheries management organizations and arrangements to implement fully the International Plan of Action for the Conservation and Management of Sharks as a matter of priority, inter alia, by conducting assessments of shark stocks and developing and implementing national plans of action, recognizing the need of some States, in particular developing States, for assistance in this regard;

73. *Urges* States, including those working through subregional or regional fisheries management organizations and arrangements in implementing the International Plan of Action for the Conservation and Management of Sharks, to collect scientific data regarding shark catches and to consider adopting conservation and management measures, particularly where shark catches from directed and non-directed fisheries have a significant impact on vulnerable or threatened shark stocks, in order to ensure the conservation and management of sharks and their long-term sustainable use, including by banning directed shark fisheries conducted solely for the purpose of harvesting shark fins and by taking measures for other fisheries to minimize waste and discards from shark catches, and to encourage the full use of dead sharks;

74. *Requests* the Food and Agriculture Organization of the United Nations to develop programmes to assist States, including developing States, in carrying out the tasks mentioned in paragraph 73 above, in particular the adoption of appropriate conservation and management measures, including the banning of directed shark fisheries conducted solely for the purpose of harvesting shark fins;

75. *Reaffirms* the requests contained in paragraph 50 of its resolution 58/14, and invites the Food and Agriculture Organization of the United Nations to report to the Secretary-General, for inclusion in his report on sustainable fisheries, on progress regarding the preparation of the study mentioned therein, as well as the programmes mentioned in paragraph 74 above, and to consider at the sixty-second session of the General Assembly whether additional action is required;

X

Capacity-building

76. *Reiterates* the crucial importance of cooperation by States directly or, as appropriate, through the relevant regional and subregional organizations, and by other international organizations, including the Food and Agriculture Organization of the United Nations through its FishCODE programme, including through financial and/or technical assistance, in accordance with the Agreement, the Compliance Agreement, the Code and the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the International Plan of Action for the Conservation and Management of Sharks, to increase the capacity of developing States to achieve the goals and implement the actions called for in the present resolution;

77. *Invites* States and relevant intergovernmental organizations to develop projects, programmes and partnerships with relevant stakeholders and mobilize resources for the effective implementation of the outcome of the African Process for the Protection and Development of the Marine and Coastal Environment, and to consider the inclusion of fisheries components in this work;

78. *Also invites* States and relevant intergovernmental organizations to further implement sustainable fisheries management and improve financial returns from fisheries by supporting and strengthening relevant regional fisheries management organizations, as appropriate, such as the Caribbean Regional Fisheries Mechanism and such agreements as the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific;

XI

Cooperation within the United Nations system

79. *Requests* the relevant parts of the United Nations system, international financial institutions and donor agencies to support increased enforcement and compliance capabilities for regional fisheries management organizations and their member States;

80. *Invites* the Food and Agriculture Organization of the United Nations to continue its cooperative arrangements with United Nations agencies on the implementation of the international plans of action and to report to the Secretary-General, for inclusion in his annual report on sustainable fisheries, on priorities for cooperation and coordination in this work;

81. *Invites* the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat, the Food and Agriculture Organization of the United Nations and other relevant bodies of the United Nations system to consult and cooperate in the preparation of questionnaires designed to collect information on sustainable fisheries, in order to avoid duplication;

XII

Sixtieth session of the General Assembly

82. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries management organizations and relevant non-governmental organizations, and to invite them to provide the Secretary-General with information relevant to the implementation of the present resolution;

83. *Also requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments", taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations, and consisting, inter alia, of elements provided in relevant paragraphs in the present resolution;

84. *Decides* to include in the provisional agenda of its sixtieth session, under the item entitled "Oceans and the law of the sea", the sub-item entitled "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments".

RESOLUTION 59/26

Adopted at the 59th plenary meeting, on 22 November 2004, without a vote, on the basis of draft resolution A/59/L.28/Rev.2, as orally revised, sponsored by: Armenia, Belarus, Cambodia, Chile, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan

59/26. Commemoration of the sixtieth anniversary of the end of the Second World War

The General Assembly,

Recalling that 2005 marks the sixtieth anniversary of the end of the Second World War, the war which brought untold sorrow to mankind,

Stressing that this historic event established the conditions for the creation of the United Nations, designed to save succeeding generations from the scourge of war,

Calling upon the States Members of the United Nations to unite their efforts in dealing with new challenges and threats, with the United Nations playing a central role, and to make every effort to settle all disputes by peaceful means in conformity with the Charter of the United Nations and in such a manner that international peace and security are not endangered,

Underlining the progress made since the end of the Second World War in overcoming its legacy and towards establishing reconciliation, international and regional cooperation and the promotion of democratic values, human rights and fundamental freedoms, in particular through the United Nations, and the establishment of regional organizations and other appropriate frameworks,

1. *Declares* 8–9 May as a time of remembrance and reconciliation and, while recognizing that Member States may have individual days of victory, liberation and commemoration, invites all Member States, organizations of the United Nations system, non-governmental organizations and individuals to observe annually either one or both of these days in an appropriate manner to pay tribute to all victims of the Second World War;

2. *Requests* the President of the General Assembly to hold a special solemn meeting of the General Assembly in the second week of May 2005 in commemoration of all victims of the war;

3. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States and organizations of the United Nations system and to take measures necessary for its implementation.

RESOLUTION 59/27

Adopted at the 60th plenary meeting, on 23 November 2004, without a vote, on the basis of draft resolution A/59/L.30 and Add.1, as orally revised, sponsored by: Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

59/27. Enhancing capacity-building in global public health

The General Assembly,

Recalling the United Nations Millennium Declaration,[100] adopted by Heads of State and Government at the Millennium Summit of the United Nations, and the development goals contained therein, in particular the health-related development goals, and its resolutions 55/162 of 14 December 2000, 56/95 of 14 December 2001, 57/144 of 16 December 2002 and 58/3 of 27 October 2003,

Recalling also World Health Assembly resolutions 48.13 of 12 May 1995, 54.14 of 21 May 2001 and 56.28 and 56.29 of 28 May 2003,

Taking note of the report of the Secretary-General on the implementation of the Millennium Declaration,[101]

Recognizing that Member States have to strengthen their efforts to halt and begin to reverse, by 2015, the spread of HIV/AIDS and the incidence of malaria and other major diseases,

Reaffirming its Declaration of Commitment on HIV/AIDS,[102]

Recognizing that the globalization of trade and increased international travel have increased the risk of a rapid worldwide spread of infectious diseases, posing new challenges to public health,

Noting with concern the deleterious impact on humankind of HIV/AIDS, tuberculosis, malaria and other major infectious diseases and epidemics, and the heavy disease burden borne by poor people, especially in developing countries, including the least developed countries, as well as countries with economies in transition, and in this regard noting with appreciation the work of the Joint United Nations Programme on HIV/AIDS, its co-sponsoring agencies and the Global Fund to Fight AIDS, Tuberculosis and Malaria, and the holding of the XV International AIDS Conference in Bangkok, from 11 to 16 July 2004, with the theme of "Access for all" in respect of people living with HIV/AIDS,

Also noting with concern the recent outbreak of avian influenza, recognizing its impact on human health as well as on the economy, and welcoming the Joint Ministerial Statement on the Current Poultry Disease Situation,

Welcoming the current success of the affected countries in combating the severe acute respiratory syndrome, which illustrates the importance of political commitment and strong leadership by affected countries and the role of the World Health Organization in controlling such epidemics, while mindful of the fact that the fight against new and re-emerging diseases such as the severe acute respiratory syndrome and avian influenza is far from over,

Noting new initiatives at the global level responding to public health threats, such as the Global Outbreak Alert and the Response Network, which brings together more than one hundred and twenty partners to provide timely and high-quality technical support,

Convinced that strengthening public health systems is critical to the development of all Member States, and that economic and social development are enhanced through measures that strengthen capacity-building in public health, including systems of prevention and of immunization against infectious diseases,

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[100] See resolution 55/2.

[101] A/59/282 and Corr.1.

[102] Resolution S-26/2, annex.

Emphasizing that Member States have primary responsibility for strengthening their capacity-building in public health to detect and respond rapidly to outbreaks of major infectious diseases, through the establishment and improvement of effective public health mechanisms, while recognizing that the magnitude of the necessary response may be beyond the capabilities of many developing countries,

Convinced that the control of outbreaks of diseases, particularly new diseases whose origins remain unknown, requires international and regional cooperation, and noting in this regard, inter alia, the holding of the fifty-fifth session of the World Health Organization Regional Committee for the Western Pacific in Shanghai, China, from 13 to 17 September 2004,

Recognizing the need for greater international and regional cooperation to meet new and existing challenges to public health, in particular in promoting effective measures such as safe, affordable and accessible vaccines, as well as assisting developing countries in securing vaccines against preventable infectious diseases and supporting the development of new vaccines,

Recognizing also the expertise of the World Health Organization and its role in, inter alia, coordinating actions with Member States in the areas of information exchange, personnel training, technical support, resource utilization, the improvement of global public health preparedness and response mechanisms and stimulating and advancing work on the prevention, control and eradication of epidemic, endemic and other diseases, as well as the work of the World Health Organization office dedicated to communicable disease surveillance and response,

Underscoring the continued importance of the International Health Regulations as an instrument for ensuring the maximum possible protection against the international spread of diseases with minimum interference in international traffic, and urging Member States to give high priority to the work on the revision of the Regulations,

Welcoming the efforts of the World Health Organization, in cooperation with Member States, the United Nations system, the Bretton Woods institutions, the private sector and civil society, in enhancing capacity-building in global public health and in promoting public health at the country level,

Welcoming also the Doha Declaration on the Agreement on Trade-Related Aspects of Intellectual Property Rights and Public Health, adopted on 14 November 2001,[103] and noting the decision of the World Trade Organization General Council of 30 August 2003 on the implementation of paragraph 6 of the Declaration,[104]

Recognizing the need to strengthen national health and social infrastructures to reinforce measures to eliminate discrimination in access to public health, information and education for all people, and especially for the most underserved and vulnerable groups,

1. *Urges* Member States to further integrate public health into their national economic and social development strategies, including through the establishment and improvement of effective public health mechanisms, in particular networks of disease surveillance, response, control, prevention, treatment and information exchange and the recruitment and training of national public health personnel;

2. *Calls upon* Member States and the international community to raise awareness of good public health practices, including through education and the mass media;

3. *Emphasizes* the importance of active international cooperation in the control of infectious diseases, based on the principles of mutual respect and equality, with a view to strengthening capacity-building in public health, especially in developing countries, including through the exchange of information and the sharing of experience, as well as research and training programmes focusing on surveillance, prevention, control, response, and care and treatment in respect of infectious diseases, and vaccines against them;

4. *Calls for* the improvement of the global public health preparedness and response systems, including systems of prevention and monitoring of infectious diseases, to better cope with major diseases, including in cases of global outbreaks of new diseases;

5. *Encourages* Member States to participate actively in the verification and validation of surveillance data and information concerning public health emergencies of international concern and, in close collaboration with the World Health Organization, to exchange information and experience in a timely and open manner on epidemics and the prevention and control of emerging and re-emerging infectious diseases that pose a risk to global public health;

6. *Invites* the regional commissions of the Economic and Social Council, as appropriate, to cooperate closely with Member States, the private sector and civil society, when requested, in their capacity-building in public health, as well as in regional cooperation to diminish and eliminate the deleterious impact of major infectious diseases;

7. *Encourages* Member States, as well as United Nations agencies, bodies, funds and programmes, in accordance

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[103] See World Trade Organization, document WT/MIN(01)/DEC/2. Available from http://docsonline.wto.org.

[104] See World Trade Organization, document WT/L/540. Available from http://docsonline.wto.org.

with their respective mandates, to continue to address public health concerns in their development activities and programmes, and to actively support capacity-building in global public health and health-care institutions, such as through the provision of technical and other relevant assistance to the developing countries, as well as countries with economies in transition;

8. *Requests* the Secretary-General to include observations on the issue of enhancing capacity-building in global public health in his report on the follow-up to the outcome of the Millennium Summit of the United Nations to be submitted to the General Assembly at its sixtieth session.

RESOLUTION 59/28

Adopted at the 64th plenary meeting, on 1 December 2004, by a recorded vote of 104 to 7, with 63 abstentions,* on the basis of draft resolution A/59/L.34 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Madagascar, Malaysia, Mali, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Algeria, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu

59/28. Committee on the Exercise of the Inalienable Rights of the Palestinian People

The General Assembly,

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976 and all subsequent relevant resolutions, including those adopted by the General Assembly at its emergency special sessions and resolution 58/18 of 3 December 2003,

Recalling also its resolution 58/292 of 6 May 2004,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[105]

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides and the need for full compliance with those agreements,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[106]

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[107] and recalling also its resolution ES-10/15 of 20 July 2004,

Reaffirming that the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly, and takes note of its annual report,[105] including the conclusions and recommendations contained in chapter VII thereof;

2. *Requests* the Committee to continue to exert all efforts to promote the realization of the inalienable rights of the Palestinian people, to support the Middle East peace process and to mobilize international support for and assistance to the Palestinian people, and authorizes the Committee to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments and to report thereon to the General Assembly at its sixtieth session and thereafter;

3. *Also requests* the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly, the Security Council or the Secretary-General, as appropriate;

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[105] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 35* (A/59/35).

[106] S/2003/529, annex.

[107] See A/ES-10/273 and Corr.1.

4. *Further requests* the Committee to continue to extend its cooperation and support to Palestinian and other civil society organizations in order to mobilize international solidarity and support for the achievement by the Palestinian people of its inalienable rights and for a peaceful settlement of the question of Palestine, and to involve additional civil society organizations in its work;

5. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), and other United Nations bodies associated with the question of Palestine to continue to cooperate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

6. *Invites* all Governments and organizations to extend their cooperation to the Committee in the performance of its tasks;

7. *Requests* the Secretary-General to circulate the report of the Committee to all the competent bodies of the United Nations, and urges them to take the necessary action, as appropriate;

8. *Also requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

RESOLUTION 59/29

Adopted at the 64th plenary meeting, on 1 December 2004, by a recorded vote of 103 to 8, with 64 abstentions,* on the basis of draft resolution A/59/L.35 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Madagascar, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Algeria, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Grenada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Vanuatu

59/29. Division for Palestinian Rights of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[108]

Taking note in particular of the relevant information contained in chapter V.B of that report,

Recalling its resolution 32/40 B of 2 December 1977 and all subsequent relevant resolutions, including resolution 58/19 of 3 December 2003,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with its resolution 58/19;

2. *Considers* that the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution;

3. *Requests* the Secretary-General to continue to provide the Division with the necessary resources and to ensure that it continues to carry out its programme of work as detailed in the relevant earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance, including, in particular, the organization of meetings in various regions with the participation of all sectors of the international community, the further development and expansion of the documents collection of the United Nations Information System on the Question of Palestine, the preparation and widest possible dissemination of publications and information materials on various aspects of the question of Palestine and the provision of the annual training programme for staff of the Palestinian Authority;

4. *Also requests* the Secretary-General to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. *Invites* all Governments and organizations to extend their cooperation to the Division in the performance of its tasks;

6. *Requests* the Committee and the Division, as part of the observance of the International Day of Solidarity with the

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[108] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 35* (A/59/35).

Palestinian People on 29 November, to continue to organize an annual exhibit on Palestinian rights or a cultural event in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance of the Day of Solidarity.

RESOLUTION 59/30

Adopted at the 64th plenary meeting, on 1 December 2004, by a recorded vote of 162 to 7, with 9 abstentions,* on the basis of draft resolution A/59/L.36 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Madagascar, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Grenada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Australia, Cameroon, Haiti, Papua New Guinea, Samoa, Solomon islands, Tonga, Uganda, Vanuatu

59/30. Special information programme on the question of Palestine of the Department of Public Information of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[109]

Taking note in particular of the information contained in chapter VI of that report,

Recalling its resolution 58/20 of 3 December 2003,

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of civil society organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides and the need for full compliance with those agreements,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[110]

Taking note of the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[111]

1. *Notes with appreciation* the action taken by the Department of Public Information of the Secretariat in compliance with resolution 58/20;

2. *Considers* that the special information programme on the question of Palestine of the Department is very useful in raising the awareness of the international community concerning the question of Palestine and the situation in the Middle East and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process;

3. *Requests* the Department, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme for the biennium 2004–2005, in particular:

(*a*) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports on the work carried out by the relevant United Nations organizations;

(*b*) To continue to issue and update publications on the various aspects of the question of Palestine in all fields, including materials concerning the recent developments in that regard, in particular the prospects for peace;

(*c*) To expand its collection of audio-visual material on the question of Palestine and to continue the production and preservation of such material and the updating of the exhibit in the Secretariat;

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[109] Ibid.

[110] S/2003/529, annex.

[111] See A/ES-10/273 and Corr.1.

(*d*) To organize and promote fact-finding news missions for journalists to the Occupied Palestinian Territory, including East Jerusalem;

(*e*) To organize international, regional and national seminars or encounters for journalists, aiming in particular at sensitizing public opinion to the question of Palestine;

(*f*) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the training programme for Palestinian broadcasters and journalists initiated in 1995.

RESOLUTION 59/31

Adopted at the 64th plenary meeting, on 1 December 2004, by a recorded vote of 161 to 7, with 10 abstentions,* on the basis of draft resolution A/59/L.37 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Madagascar, Malaysia, Mali, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Grenada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Cameroon, Haiti, Honduras, Nauru, Papua New Guinea, Samoa, Solomon Islands, Tonga, Uganda, Vanuatu

59/31. Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including those adopted at the tenth emergency special session,

Recalling also its resolution 58/292 of 6 May 2004,

Recalling further the relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003 and 1544 (2004) of 19 May 2004,

Welcoming the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Noting with concern that it has been fifty-seven years since the adoption of resolution 181 (II) of 29 November 1947 and thirty-seven years since the occupation of Palestinian territory, including East Jerusalem, in 1967,

Having considered the report of the Secretary-General submitted pursuant to the request made in its resolution 58/21 of 3 December 2003,[112]

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects in accordance with international law,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[113] and recalling also its resolution ES-10/15 of 20 July 2004,

Convinced that achieving a final and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem,

Reaffirming also that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law,

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[112] A/59/574-S/2004/909.

[113] See A/ES-10/273 and Corr.1.

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[114] and the agreements concluded between the two sides, and the need for full compliance with those agreements,

Recalling also the endorsement by the Security Council, in resolution 1515 (2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[115] and stressing the urgent need for its implementation and compliance with its provisions,

Noting the establishment of the Palestinian Authority, and recognizing the urgent need to rebuild, reform and strengthen its damaged institutions,

Welcoming the contribution to the peace process of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, including in the framework of the activities of the Quartet,

Welcoming also the convening of international donor meetings, as well as the establishment of international mechanisms to provide assistance to the Palestinian people,

Expressing its grave concern over the tragic events in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000 and the continuing deterioration of the situation, including the rising number of deaths and injuries, mostly among Palestinian civilians, the deepening humanitarian crisis facing the Palestinian people and the widespread destruction of Palestinian property and infrastructure, both private and public, including institutions of the Palestinian Authority,

Expressing its grave concern also over the repeated military actions in the Occupied Palestinian Territory and the reoccupation of Palestinian population centres by the Israeli occupying forces,

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides, including the suicide bombings, the extrajudicial executions and the excessive use of force,

Gravely concerned over the increased suffering and casualties on both the Palestinian and Israeli sides, the loss of confidence on both sides and the dire situation facing the Middle East peace process,

Aware of the urgent need for revitalized and active international involvement to support both parties in overcoming the current dangerous impasse in the peace process,

Affirming the urgent need for the parties to cooperate with all international efforts, including the efforts of the Quartet, to end the current tragic situation and to resume and accelerate negotiations towards a final peace settlement,

Welcoming the initiatives and efforts undertaken by civil society in pursuit of a peaceful settlement of the question of Palestine,

Taking note of the findings by the International Court of Justice, in its advisory opinion, including on the urgent necessity for the United Nations as a whole to redouble its efforts to bring the Israeli-Palestinian conflict, which continues to pose a threat to international peace and security, to a speedy conclusion, thereby establishing a just and lasting peace in the region,[116]

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects, and of intensifying all efforts towards that end;

2. *Reaffirms its full support* for the Middle East peace process, which began in Madrid, and the existing agreements between the Israeli and Palestinian sides, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the ongoing efforts of the Quartet;

3. *Welcomes* the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002;[117]

4. *Calls upon* both parties to fulfil their obligations in implementation of the road map[115] by taking parallel and reciprocal steps in this regard, and stresses the importance and urgency of establishing a credible and effective third-party monitoring mechanism including all members of the Quartet;

5. *Stresses* the need for a speedy end to the reoccupation of Palestinian population centres and for the complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

6. *Calls upon* the parties, with the support of the Quartet and other interested parties, to exert all efforts necessary to halt the deterioration of the situation, to reverse all measures taken on the ground since 28 September 2000 and to facilitate a

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[114] See A/48/486-S/26560, annex.

[115] S/2003/529, annex.

[116] See A/ES-10/273 and Corr.1, advisory opinion, para. 161.

[117] A/56/1026-S/2002/932, annex II, resolution 14/221.

speedy resumption of the peace process and the conclusion of a final peaceful settlement;

7. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion,[113] and calls upon all States Members of the United Nations to comply with their legal obligations as mentioned in the advisory opinion;

8. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

9. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the implementation of the relevant Security Council resolutions;

10. *Stresses* the need for:

(*a*) The withdrawal of Israel from the Palestinian territory occupied since 1967;

(*b*) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

11. *Also stresses* the need for resolving the problem of the Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

12. *Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period to help to alleviate the suffering of the Palestinian people, rebuild the Palestinian economy and infrastructure and support the restructuring and reform of Palestinian institutions;

13. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its sixtieth session a report on these efforts and on developments on this matter.

RESOLUTION 59/32

Adopted at the 64th plenary meeting, on 1 December 2004, by a recorded vote of 155 to 7, with 15 abstentions,* on the basis of draft resolution A/59/L.39, sponsored by: Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Malaysia, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Costa Rica, Grenada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Cameroon, El Salvador, Fiji, Guatemala, Haiti, Honduras, Kenya, Nauru, Nicaragua, Papua New Guinea, Samoa, Solomon Islands, Tonga, Vanuatu

59/32. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[118] and recalling resolution ES-10/15 of 20 July 2004,

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[118] See A/ES-10/273 and Corr.1.

Expressing its grave concern at any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,[119]

1. *Reiterates its determination* that any actions taken by Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

3. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

4. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/33

Adopted at the 64th plenary meeting, on 1 December 2004, by a recorded vote of 111 to 6, with 60 abstentions,[*] on the basis of draft resolution A/59/L.40 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Oman, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen, Palestine

[*] *In favour*: Afghanistan, Algeria, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Grenada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Nauru, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu

59/33. The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General,[120]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[121] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Stressing the illegality of the Israeli settlement construction and other activities in the occupied Syrian Golan since 1967,

Noting with satisfaction the convening in Madrid on 30 October 1991 of the Peace Conference on the Middle East, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the formula of land for peace,

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[119] A/59/431.

[120] A/59/338.

[121] United Nations, *Treaty Series*, vol. 75, No. 973.

Expressing grave concern over the halt in the peace process on the Syrian track, and expressing the hope that peace talks will soon resume from the point they had reached,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Also declares* that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[122] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War,[121] continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Calls upon* Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;

6. *Demands once more* that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. *Calls upon* all the parties concerned, the co-sponsors of the peace process and the entire international community to exert all the necessary efforts to ensure the resumption of the peace process and its success by implementing Security Council resolutions 242 (1967) and 338 (1973);

8. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/54

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the basis of draft resolution A/59/L.20/Rev.1, as orally revised, sponsored by: Bolivia, Colombia, Ecuador, Peru, Venezuela (Bolivarian Republic of)

59/54. Andean Zone of Peace

The General Assembly,

Aware of the determination of the States members of the Andean Community to preserve their independence, sovereignty and territorial integrity, promote peaceful coexistence in the Andean region and develop their relations in conditions of peace, self-determination and freedom,

Bearing in mind the commitment of the States members of the Andean Community to promote political, economic, social and cultural integration and cooperation in order to contribute to the sustainable long-term peace, security and balanced and harmonious development of the Andean region,

Noting its resolution 58/317 of 5 August 2004, by which it reaffirmed the central role of the United Nations in the maintenance of international peace and security and the promotion of international cooperation,

Recognizing the Declaration of San Francisco de Quito on the Establishment and Development of the Andean Zone of Peace,[123] adopted in Quito on 12 July 2004 by the Heads of State of the member countries of the Andean Community within the framework of the fifteenth Andean Presidential Council, which sets forth the purpose of establishing a zone of peace within the geographical area comprising the territories, airspace and waters under the sovereignty and jurisdiction of Bolivia, Colombia, Ecuador, Peru and Venezuela (Bolivarian Republic of), as a nuclear, chemical and biological weapons-free zone, as well as the objective of definitively eradicating anti-personnel mines in the Andean Community, by which the necessary conditions will be developed to permit the peaceful and agreed resolution of conflicts of any nature whatsoever, as well as the causes thereof,

Noting with satisfaction that the Andean Zone of Peace is based on the responsible exercise by citizens of democratic values, principles and practices, the rule of law, human rights, social justice, human development, eradicating poverty, social exclusion and inequity, national sovereignty and non-interference in internal affairs, as well as on Andean identity, the promotion of relations of friendship and cooperation for all-round development, the culture of peace, joint efforts to prevent and counteract both conventional and new threats to security, and the joint quest for a fairer and more equitable international order,

Stressing that the Andean Zone of Peace represents a continuous and participatory effort of the States members of the Andean Community aimed at promoting growing commonality among Governments, public opinion, political parties and civil society with regard to widely shared objectives and values,

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[122] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[123] A/59/235, annex II.

Also stressing the progress achieved by the States that comprise the Andean Community in matters of security, peace and confidence-building on the basis of a democratic and non-offensive conception of external security through the adoption, on 10 July 2004, of decision 587, containing the Andean Common External Security Policy Guidelines, as well as Andean norms to promote cooperation and coordination in regard to initiatives for fostering efforts to combat the global problem of drugs and associated crimes, and to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects,

Noting that decision 552, entitled "Andean plan to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects", adopted on 25 June 2003, is the first binding subregional instrument derived from the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[124] adopted in 2001,

Considering that peace, security and mutual trust are essential requirements for achieving sustainable and long-term political, economic, social and cultural development,

Persuaded of the need to contribute to the maintenance of the Andean Community as a region free of weapons of mass destruction – nuclear, chemical, biological and toxin – as well as to the definitive eradication of anti-personnel mines in the Andean Community,

Recognizing the importance of promoting peace, security and cooperation in the Andean Community for the benefit of the entire human race and, in particular, the peoples of the Andean Community,

Convinced that the establishment of the Andean Zone of Peace will contribute considerably to the strengthening of international peace, security and trust and to the promotion of the purposes and principles on which the Charter of the United Nations and international law are based,

1. *Welcomes with satisfaction* the Declaration of San Francisco de Quito on the Establishment and Development of the Andean Zone of Peace,[123] which establishes the geographical area comprising the territories, airspace and waters under the sovereignty and jurisdiction of the States members of the Andean Community as the Andean Zone of Peace, to be pursued in accordance with the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)[125] and other international conventions on the matter;

2. *Calls upon* all States to support the States that comprise the Andean Community in promoting the principles and purposes provided for by the Declaration of San Francisco de Quito;

3. *Encourages* the States members of the Andean Community to make every effort to ensure the early fulfilment of the commitments arising from the Declaration of San Francisco de Quito.

RESOLUTION 59/55

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the basis of draft resolution A/59/L.27/Rev.1 and Add.1, as orally revised, sponsored by: Argentina, Azerbaijan, Belize, Benin, Bolivia, Chile, Costa Rica, Democratic Republic of the Congo, Dominican Republic, Ecuador, El Salvador, Gabon, Gambia, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Italy, Jordan, Kenya, Mexico, Morocco, Nicaragua, Niger, Nigeria, Panama, Paraguay, Qatar, Republic of Korea, South Africa

59/55. Public administration and development

The General Assembly,

Recalling all pertinent resolutions, in particular its resolution 58/231 of 23 December 2003 on public administration and development,

Recalling also the historic resumed fiftieth session of the General Assembly, devoted to the subject of the strengthening of public administration and development,

Stressing the need for capacity-building and e-Government initiatives as tools to promote development,

Recognizing that efficient, accountable, effective and transparent public administration at both the national and the international levels constitutes a key factor in development,

Recognizing also the importance of strengthening public administration institutions, improving public sector human resources capacity and fostering knowledge creation and innovation and the utilization of information technology for development in public administration and in the implementation of internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[126]

Welcoming the adoption of the United Nations Convention against Corruption,[127]

1. *Takes note* of the report of the Secretary-General;[128]

2. *Stresses* the importance of United Nations Public Service Day and the United Nations Public Service Awards in

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[124] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[125] United Nations, *Treaty Series*, vol. 634, No. 9068.

[126] See resolution 55/2.

[127] Resolution 58/4, annex.

[128] A/59/346.

the process of revitalizing public administration by building a culture of innovation, partnership and responsiveness;

3. *Also stresses* the valuable contribution that the Global Forum on Reinventing Government has made to the exchange of lessons learned in public administration reform, and reiterates its appreciation to the Government of the Republic of Korea for hosting the Sixth Global Forum on Reinventing Government in 2005;

4. *Encourages* the Secretary-General to make arrangements for the implementation of the proposals made for the commemoration of the tenth anniversary of the resumed fiftieth session of the General Assembly, on public administration and development;

5. *Takes note* of the important analytical and operational contribution that the *World Public Sector Report* provides to policymakers responsible for public administration in Member States;

6. *Requests* the Secretary-General to continue to facilitate, through the United Nations Online Network in Public Administration and Finance, the dissemination of valuable practices in public administration;

7. *Also requests* the Secretary-General to focus the work on public administration along the lines of Economic and Social Council decision 2004/302 of 23 July 2004 and General Assembly resolution 58/231;

8. *Further requests* the Secretary-General to submit a report to the General Assembly at its sixtieth session on progress made in Member States by revitalizing public administration during the last ten years, since the resumed fiftieth session of the Assembly, on public administration and development, and to ensure that the findings are brought to the attention of Member States on the occasion of the special event in 2005.

RESOLUTION 59/56

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the basis of draft resolution A/59/L.24 and Add.1, as orally revised, sponsored by: Austria, Belgium, Bulgaria, Canada, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

59/56. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 58/113 of 17 December 2003, as well as previous resolutions on the question,

Recalling also the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993, by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[129] and the subsequent implementation agreements concluded by the two sides,

Gravely concerned at the deterioration in the living conditions of the Palestinian people throughout the occupied territory, which constitutes a mounting humanitarian crisis,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory,

Aware that development is difficult under occupation and is best promoted in circumstances of peace and stability,

Noting the great economic and social challenges facing the Palestinian people and their leadership,

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,

Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, the establishment of the Ad Hoc Liaison Committee and the work being done by the World Bank as its secretariat and the establishment of the Consultative Group, as well as all follow-up meetings and international mechanisms established to provide assistance to the Palestinian people,

Welcoming also the work of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,

Stressing the continued importance of the work of the Ad Hoc Liaison Committee in the coordination of assistance to the Palestinian people,

Noting the upcoming meeting of the Ad Hoc Liaison Committee to review the state of the Palestinian economy,

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people, and welcoming in this regard the support provided to the Palestinian Authority by the Task Force on Palestinian Reform, established by the Quartet in 2002,

Noting, in this regard, the active participation of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority in the activities of the Special Envoys of the Quartet,

Welcoming the endorsement by the Security Council, in its resolution 1515 (2003) of 19 November 2003, of the performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,[130] and stressing the need for its implementation and compliance with its provisions,

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[129] A/48/486-S/26560, annex.

Having considered the report of the Secretary-General,[131]

Expressing grave concern at the continuation of the recent tragic and violent events that have led to many deaths and injuries,

1. *Takes note* of the report of the Secretary-General;[131]

2. *Also takes note* of the report of the Personal Humanitarian Envoy of the Secretary-General on the humanitarian conditions and needs of the Palestinian people;[132]

3. *Expresses its appreciation* to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;

4. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;

5. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;

6. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;

7. *Calls upon* relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with Palestinian priorities set forth by the Palestinian Authority;

8. *Urges* Member States to open their markets to exports of Palestinian products on the most favourable terms, consistent with appropriate trading rules, and to implement fully existing trade and cooperation agreements;

9. *Calls upon* the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

10. *Stresses*, in this context, the importance of ensuring the free passage of aid to the Palestinian people and the free movement of persons and goods;

11. *Urges* the international donor community, United Nations agencies and organizations and non-governmental organizations to extend as rapidly as possible emergency economic and humanitarian assistance to the Palestinian people to counter the impact of the current crisis;

12. *Stresses* the need to implement the Paris Protocol on Economic Relations of 29 April 1994, fifth annex to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,[133] in particular with regard to the full and prompt clearance of Palestinian indirect tax revenues, and welcomes the progress made in this regard;

13. *Suggests* the convening in 2005 of a United Nations-sponsored seminar on assistance to the Palestinian people;

14. *Requests* the Secretary-General to submit a report to the General Assembly at its sixtieth session, through the Economic and Social Council, on the implementation of the present resolution, containing:

(*a*) An assessment of the assistance actually received by the Palestinian people;

(*b*) An assessment of the needs still unmet and specific proposals for responding effectively to them;

15. *Decides* to include in the provisional agenda of its sixtieth session the sub-item entitled "Assistance to the Palestinian people".

RESOLUTION 59/57

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the basis of draft resolution A/59/L.38 and Add.1, sponsored by: Algeria, Angola, Argentina, Austria, Belgium, Botswana, Brazil, Burkina Faso, Chile, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Italy, Kenya, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Monaco, Morocco, Netherlands, Nigeria, Norway, Panama, Peru, Poland, Portugal, Romania, Senegal, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Zambia, Zimbabwe

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[130] S/2003/529, annex.

[131] A/59/121-E/2004/88.

[132] Available from http://domino.un.org/bertini_rpt.htm.

[133] A/51/889-S/1997/357, annex.

59/57. *A Fair Globalization: Creating Opportunities for All* - report of the World Commission on the Social Dimension of Globalization

The General Assembly,

Reaffirming the resolve expressed in the United Nations Millennium Declaration[134] to ensure that globalization becomes a positive force for the people of the entire world,

Recalling the commitment in the Millennium Declaration to ensure greater policy coherence and better cooperation between the United Nations, its agencies, the Bretton Woods institutions and other multilateral bodies, with a view to achieving a fully coordinated approach to the problems of peace and development,

Recalling also its resolution 58/225 of 23 December 2003, in which it stressed the need for the United Nations to continue to address the social dimension of globalization and took note of the work of the World Commission on the Social Dimension of Globalization,

Recognizing the support expressed at the International Conference on Financing for Development[135] and the World Summit on Sustainable Development[136] for the work of the International Labour Organization on the social dimension of globalization,

Acknowledging the work of the World Commission on the Social Dimension of Globalization, co-chaired by the President of Finland and the President of the United Republic of Tanzania and facilitated by the International Labour Organization,

Recognizing the contribution of the implementation of the commitments agreed in the outcomes of the major United Nations conferences and summits, including the important contributions of the Monterrey Consensus,[137] adopted by the International Conference on Financing for Development, and the World Summit on Sustainable Development to eradicating poverty, achieving sustained economic growth and promoting sustainable development, as well as advancing towards a fully inclusive and equitable globalization,

Recalling its resolutions 58/291 of 6 May 2004 and 57/270 B of 23 June 2003 on the follow-up to the outcome of the Millennium Summit of the United Nations and the integrated and coordinated follow-up to the outcomes of the major United Nations conferences and summits in economic and social fields,

1. *Takes note* of the report of the World Commission on the Social Dimension of Globalization entitled *A Fair Globalization: Creating Opportunities for All*,[138] as a contribution to the international dialogue towards a fully inclusive and equitable globalization;

2. *Decides* to consider the wider challenges and opportunities linked to the issue of globalization, including those in the report of the World Commission, within the framework of the comprehensive review of the implementation of the United Nations Millennium Declaration,[134] under resolution 58/291, and the ten-year review of the further implementation of the outcome of the World Summit for Social Development by the Commission for Social Development in 2005;

3. *Calls upon* the organs and bodies of the United Nations, and invites the organizations of the United Nations system, to consider within their mandates the report of the World Commission, and also calls upon Member States to consider the report;

4. *Invites* relevant organizations of the United Nations system and other relevant multilateral bodies to provide information to the Secretary-General on their activities to promote an inclusive and equitable globalization;

5. *Requests* the Secretary-General to take into account, inter alia, the report of the World Commission in his comprehensive report for the high-level review of 2005 at the sixtieth session of the General Assembly, within the follow-up to the outcome of the Millennium Summit of the United Nations.

RESOLUTION 59/111

Adopted at the 67th plenary meeting, on 6 December 2004, without a vote, on the basis of draft resolution A/59/L.29 and Add.1, as orally revised, sponsored by: Armenia, Azerbaijan, Belarus, Kazakhstan, Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Russian Federation, United States of America

59/111. Celebrating the tenth anniversary of the International Year of the Family

The General Assembly,

Recalling its resolution 44/82 of 8 December 1989 concerning the proclamation of, preparations for and observance of the International Year of the Family in 1994, and resolutions 50/142 of 21 December 1995, 52/81 of

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[134] See resolution 55/2.

[135] See *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7).

[136] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum).

[137] *Report of the International Conference on Financing for Development, Monterrey, Mexico,18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[138] See A/59/98-E/2004/79.

12 December 1997 and 54/124 of 17 December 1999 concerning the follow-up to the International Year of the Family,

Recalling also its resolutions 56/113 of 19 December 2001, 57/164 of 18 December 2002 and 58/15 of 3 December 2003 concerning the preparations for and observance of the tenth anniversary of the International Year of the Family in 2004,

Taking note with appreciation of the report of the Secretary-General on the preparations for and observance of the tenth anniversary of the International Year of the Family in 2004,[139]

1. *Reaffirms* its resolution 58/15;

2. *Welcomes* the celebration of the tenth anniversary of the International Year of the Family on 6 December 2004 at Headquarters;

3. *Commends* the important contributions made by Governments at the international, national, regional and local levels to observe the tenth anniversary of the International Year of the Family;

4. *Welcomes* the hosting of the Regional Conference on the Family in Africa on 27 and 28 July 2004 by the Government of Benin, and also welcomes the hosting of the Doha International Conference for the Family on 29 and 30 November 2004 by the State of Qatar, and takes note of their outcomes;

5. *Encourages* Governments to make every possible effort to realize the objectives of the tenth anniversary of the International Year of the Family and to integrate a family perspective in the planning process;

6. *Notes with appreciation* the contribution of the non-governmental organizations through local and regional meetings, as well as the programmes and activities throughout civil society undertaken in support of the celebration of the tenth anniversary of the International Year of the Family;

7. *Recommends* that all relevant agencies of the United Nations system, civil society organizations, the media, religious and community-based organizations as well as the private sector contribute to developing strategies and programmes aimed at strengthening the livelihood of families;

8. *Encourages* United Nations agencies and bodies, including the regional commissions, as well as intergovernmental and non-governmental organizations and research and academic institutions, to work closely with the Department of Economic and Social Affairs of the Secretariat in a coordinated manner on family-related issues, inter alia, by sharing experience and findings, in recognition of their valuable role in family policy development at all levels;

9. *Decides* to celebrate the anniversary of the International Year of the Family on a ten-year basis.

RESOLUTIONS 59/112 A and B

Adopted at the 69th plenary meeting, on 8 December 2004, without a vote, on the basis of draft resolution A/59/L.44 and Add.1, sponsored by: Afghanistan, Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Yemen

59/112. Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan and the situation in Afghanistan and its implications for international peace and security

A

THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

The General Assembly,

Recalling its resolution 58/27 A of 5 December 2003 and all its previous relevant resolutions,

Recalling also all relevant Security Council resolutions and statements by the President of the Council on the situation in Afghanistan, in particular the most recent resolutions 1536 (2004) of 26 March 2004 and 1563 (2004) of 17 September 2004, as well as statements by the President of the Council on 6 April and 15 July 2004[140] and 12 October 2004,[141]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of

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[139] A/59/176.

[140] S/PRST/2004/9 and S/PRST/2004/25; see *Resolutions and Decisions of the Security Council, 1 August 2003–31 July 2004.*

[141] S/PRST/2004/35; see *Resolutions and Decisions of the Security Council, 1 August 2004–31 July 2005.*

Afghanistan, and respecting its multicultural, multi-ethnic and historical heritage,

Applauding the adoption of a pluralistic and democratic constitution on 4 January 2004, the first direct election of a Head of State in the history of Afghanistan, on 9 October 2004, and the substantive progress achieved in the empowerment of women in Afghan politics as historic milestones in the political process, which will help to consolidate durable peace and national stability in Afghanistan,

Emphasizing the desirability of a new government being representative of the ethnic, cultural and geographical diversity of the country,

Recognizing the urgent need to tackle the remaining challenges in Afghanistan, including the lack of security in certain areas, terrorist threats, the comprehensive nationwide disarmament, demobilization and reintegration of Afghan militias, the timely preparation of the parliamentary and local elections scheduled for the spring of 2005, the reconstruction of institutions, the promotion and protection of human rights and the fight against narcotics,

Reaffirming in this context its continued support for the implementation of the provisions of the Bonn Agreement of 5 December 2001,[142] and of the Berlin Declaration, including the annexes thereto, of 1 April 2004,[143] and pledging its continued support thereafter for the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of a constitutional democracy and assume their rightful place in the community of nations,

Expressing its appreciation and strong support for the ongoing efforts of the Secretary-General and his Special Representative for Afghanistan, and stressing the central and impartial role that the United Nations continues to play to promote peace and stability in Afghanistan,

Recognizing the need for a continued strong international commitment to humanitarian assistance and for programmes, under the ownership of the Government of Afghanistan, of rehabilitation and reconstruction, and noting that visible progress in this regard can further enhance the authority of the Government and greatly contribute to the peace process,

Expressing in this context its deep concern over attacks against Afghan civilians, United Nations staff, national and international humanitarian personnel and the International Security Assistance Force,

Noting that, despite improvements in building the security sector, terrorist attacks caused by Al-Qaida operatives, the Taliban and other extremist groups and the lack of security caused by factional violence and criminal activity, including the illicit production of and trafficking in drugs, still remain a serious challenge, threatening the democratic process as well as reconstruction and economic development,

Noting also that the responsibility for providing security and law and order throughout the country resides with the Government of Afghanistan, welcoming its continuing cooperation with the Assistance Force and the Operation Enduring Freedom coalition, and stressing the importance of extending central government authority to all parts of Afghanistan,

Commending the Afghan national army and police, the Assistance Force and the Operation Enduring Freedom coalition for their contributions in improving security conditions, including for the electoral process, in Afghanistan,

Commending also, among others, the countries neighbouring Afghanistan for the commitment they have shown to the Afghan presidential election, including their cooperation and support for the successful staging of out-of-country voting in the Islamic Republic of Iran and in Pakistan,

Welcoming the determination of the Afghan authorities to plan and carry out without delay parliamentary and local elections, scheduled for the spring of 2005,

Deeply concerned about the continued increase in the cultivation, production of and trafficking in narcotic drugs in Afghanistan, which is undermining stability and security as well as the political and economic reconstruction of Afghanistan and which has dangerous repercussions in the region and far beyond, and commending in this context the reaffirmed commitment of the Government of Afghanistan to rid the country of this pernicious production and trade, including by decisive law enforcement measures,

Recognizing that the social and economic development of Afghanistan, specifically the development of gainful and sustainable livelihoods in the formal productive sector, is an important condition for the successful implementation of the comprehensive Afghan national drug control strategy and depends to a large extent on enhanced international cooperation with the Government of Afghanistan,

1. *Welcomes* the report of the Secretary-General[144] and the recommendations contained therein;

2. *Congratulates* the democratically elected Head of State of Afghanistan, the newly appointed Government of Afghanistan and millions of Afghan voters, who have participated in the first popular election of their Head of State;

3. *Stresses* the importance of the provision of sufficient security for the holding of credible parliamentary elections, and

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[142] Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (see S/2001/1154).

[143] Available from www.unama-afg.org.

[144] A/59/581-S/2004/925.

to this end calls upon Member States to contribute personnel, equipment and other resources to the International Security Assistance Force, thus assisting in securing the conduct of free and fair elections, including through the progressive establishment of provincial reconstruction teams in other parts of Afghanistan, and to coordinate closely with the United Nations Assistance Mission in Afghanistan and the Government of Afghanistan;

4. *Welcomes* the progress made since the commencement of the disarmament, demobilization and reintegration process in October 2003, including extensive demobilization and heavy weapons cantonment, and stresses the importance of addressing the issues of irregular militias and ammunition stockpiles and the need to substantially complete the process in a comprehensive manner throughout the country in accordance with the Bonn Agreement[142] in order to create an environment more conducive to the conduct of free and fair parliamentary elections;

5. *Also welcomes* the development of the new professional Afghan national army and Afghan national police and the progress made in the creation of a fair and effective justice system as important steps towards the goal of strengthening Afghan government authority, providing security, ensuring the rule of law and eliminating corruption throughout the country, and urges the international community to continue to support the efforts of the Government of Afghanistan in these areas in a coordinated manner;

6. *Calls upon* the Government of Afghanistan, with the assistance of the international community, including through the Operation Enduring Freedom coalition and the Assistance Force, in accordance with their respective designated responsibilities, to continue to address the threat to the security and stability of Afghanistan posed by Al-Qaida operatives, the Taliban and other extremist groups, factional violence among militia forces and criminal violence, in particular violence involving the drug trade;

7. *Reiterates* the importance of the implementation of the timetable of the Joint Electoral Management Body for parliamentary and local elections scheduled for the spring of 2005;

8. *Calls upon* the Assistance Mission to continue to provide the necessary support to the Government of Afghanistan in order to facilitate timely and inclusive parliamentary and local elections;

9. *Calls upon* the Assistance Mission and the Joint Electoral Management Body to provide sufficient training to the election personnel as well as voter and civic education, with a particular focus on women, before parliamentary and local elections;

10. *Calls upon* the Joint Electoral Management Body, with the assistance of the Assistance Mission, to provide budgetary targets for the elections, and urges the donor community to consider making further commitments to meet those targets in time;

11. *Calls upon* regional organizations and Member States to contribute to the conduct of free and fair parliamentary elections by providing international election monitors;

12. *Reiterates* the important role of the Afghan Independent Human Rights Commission in the promotion and protection of human rights and fundamental freedoms, and stresses the need to expand its range of operations in all parts of Afghanistan in accordance with the Afghan Constitution;

13. *Calls for* full respect for human rights and international humanitarian law throughout Afghanistan and, with the assistance of the Assistance Mission, full implementation of the human rights provisions of the new Afghan Constitution, including those regarding the full enjoyment by women of their human rights, and commends the commitment of the Government of Afghanistan in this respect;

14. *Welcomes* the efforts to date of the Afghan authorities to implement their comprehensive national drug control strategy adopted in May 2003, and urges the Government of Afghanistan to take decisive action, in particular to stop the processing of and trade in drugs, by pursuing the concrete steps set out in the work plan of the Government of Afghanistan, presented at the International Conference on Afghanistan, held in Berlin on 31 March and 1 April 2004;[143]

15. *Calls upon* the international community to assist the Government of Afghanistan in the implementation of its comprehensive national drug control strategy, aimed at eliminating illicit poppy cultivation, including through support for increased law enforcement, interdiction, demand reduction, eradication of illicit crops, crop substitution and other alternative livelihood and development programmes, increasing public awareness and building the capacity of drug control institutions;

16. *Supports* the fight against the illicit trafficking in drugs and precursors within Afghanistan and in neighbouring States and countries along trafficking routes, including increased cooperation among them to strengthen anti-narcotic controls to curb the drug flow, and welcomes in this context the signing on 1 April 2004 of the Berlin Declaration on Counter-Narcotics within the framework of the Kabul Declaration on Good-neighbourly Relations of 22 December 2002;[143]

17. *Commends* the continuing efforts of the signatories of the Kabul Declaration on Good-neighbourly Relations[145] to implement their commitments under the Declaration, including, within this framework, those under the Declaration on Encouraging Closer Trade, Transit and Investment Cooperation, and furthermore calls upon all other States to respect and

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[145] S/2002/1416, annex.

support the implementation of these provisions and to promote regional stability;

18. *Appreciates* the efforts of the members of the Tripartite Commission, namely, Afghanistan, Pakistan and the United States of America, to continue to address cross-border activities in accordance with its mandate;

19. *Calls for* the provision of continued international assistance to the vast number of Afghan refugees and internally displaced persons to facilitate their safe and orderly return and sustainable reintegration into society so as to contribute to the stability of the entire country;

20. *Requests* the Secretary-General to report to the General Assembly every six months during its fifty-ninth session on developments in Afghanistan, including after parliamentary elections, and on the future role of the Assistance Mission, and to report to the Assembly at its sixtieth session on the progress made in the implementation of the present resolution;

21. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "The situation in Afghanistan and its implications for international peace and security".

B

EMERGENCY INTERNATIONAL ASSISTANCE FOR PEACE, NORMALCY AND RECONSTRUCTION OF WAR-STRICKEN AFGHANISTAN

The General Assembly,

Recalling its resolution 58/27 B of 5 December 2003 and its previous relevant resolutions,

Recalling also the agreement reached among various Afghan groups in Bonn, Germany, on 5 December 2001,[142] the International Conference on Reconstruction Assistance to Afghanistan, held in Tokyo on 21 and 22 January 2002, and the International Conference on Afghanistan, held in Berlin on 31 March and 1 April 2004,[143]

Welcoming the adoption of a new constitution for Afghanistan on 4 January 2004 and the historic presidential elections held on 9 October 2004,

Welcoming also the continuing and growing ownership of the rehabilitation and reconstruction efforts by the Government of Afghanistan through the National Development Framework, the "Securing Afghanistan's future" exercise and the national budget, and emphasizing the crucial need to achieve ownership in all fields of governance and to improve institutional capabilities in order to use aid more effectively,

Welcoming further the efforts of the Government of Afghanistan to develop a poverty reduction strategy paper as an integrated part of the national development plans,

Welcoming, in this regard, the guarantee of human rights and fundamental freedoms for all Afghans in the new Constitution as a significant step towards an improved situation of human rights and fundamental freedoms, in particular for women and children,

Noting, at the same time, reports about incidents of violations of human rights and of international humanitarian law and violent or discriminatory practices in parts of the country,

Alarmed by continued attacks on Afghan civilians, United Nations staff, national and international humanitarian personnel and the International Security Assistance Force,

Noting with concern that the lack of security in certain areas has caused some organizations to cease or curtail humanitarian and development operations in some parts of Afghanistan because limited access and inadequate security conditions for the delivery of aid hampered their work substantially,

Welcoming the continuous return of refugees and internally displaced persons, while noting with concern that conditions in parts of Afghanistan are not yet conducive to safe and sustainable returns to places of origin,

Remaining deeply concerned about the problem of millions of anti-personnel landmines and unexploded ordnance, which constitute a great danger for the civilian population and a major obstacle for the return of refugees and displaced populations and for the resumption of agricultural and other economic activities, the provision of humanitarian assistance and rehabilitation and reconstruction efforts,

Aware of the high vulnerability of Afghanistan to natural disasters, and mindful in particular that the Afghan people continue to suffer from a severe multi-year drought that affects more than half of the provinces of the country,

Underlining the coordinating role of the Special Representative of the Secretary-General for Afghanistan and of the United Nations Assistance Mission in Afghanistan in ensuring a seamless transition, under Afghan leadership, from humanitarian relief to the reconstruction of Afghanistan, including the cooperation of the United Nations system with other actors in the international community, in particular with the international financial institutions,

Welcoming the establishment of an executive steering committee of the provincial reconstruction teams, a high-level decision-making and consultative body that provides guidance on the management of provincial reconstruction teams and on the interaction of civilian and military actors within the framework of development and reconstruction,

Expressing its appreciation to the United Nations system and to all States and international and non-governmental organizations whose international and local staff continue to respond positively to the humanitarian needs of Afghanistan, as well as to the Secretary-General and his Emergency Relief Coordinator for mobilizing and coordinating the delivery of appropriate humanitarian assistance,

1. *Welcomes* the report of the Secretary-General[144] and the recommendations contained therein;

2. *Urges* the Government of Afghanistan and local authorities to take all possible steps to ensure the safety, security and free movement of all United Nations and humanitarian personnel, as well as their safe and unimpeded access to all affected populations, and to protect the property of the United Nations and of humanitarian organizations, including non-governmental organizations, and calls upon the international community to continue to support the efforts of the Government of Afghanistan in the area of security in a coordinated manner;

3. *Strongly condemns* all acts of violence and intimidation directed against humanitarian personnel and United Nations and associated personnel, regrets the loss of life and physical harm, and urges the Government of Afghanistan to make every effort to identify and to bring to justice the perpetrators of attacks;

4. *Welcomes* the progress of the disarmament, demobilization and reintegration process for ex-combatants, including child soldiers, by the Government of Afghanistan and the efforts of the international community to assist in this process, and urges all Afghan parties to continue their efforts in this regard; recognizing the efforts of the Government of Afghanistan, reiterates the importance of ending the use of children contrary to international law, while welcoming the recent accession by Afghanistan to the Convention on the Rights of the Child[146] and the Optional Protocol thereto on the involvement of children in armed conflict;[147] and stresses the importance of the demobilization and reintegration of child soldiers and care for other war-affected children, and notes in this regard the value of preparing an action plan to address this issue;

5. *Reiterates* the importance of providing Afghan children with educational and health facilities in all parts of the country, recognizing the special needs of girls, and encourages the Government of Afghanistan, with the assistance of the international community, to expand those facilities and to promote full and equal access to them by all members of Afghan society;

6. *Welcomes* the initiative of the Government of Afghanistan to formulate a national plan of action on combating child trafficking, encourages the Government, in the formulation of the plan of action, to be guided by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[148] and stresses the importance of considering becoming party to this Protocol;

7. *Reminds* all Afghan parties of their commitment to the Bonn Agreement[142] and the Berlin Declaration,[143] and calls for the full respect of the human rights and fundamental freedoms of all, without discrimination of any kind, including on the basis of gender, ethnicity or religion, in accordance with obligations under the Afghan Constitution and international law, and commends the commitment of the Government of Afghanistan in this respect;

8. *Emphasizes again* the necessity of investigating allegations of current and past violations of human rights and of international humanitarian law, including violations committed against persons belonging to ethnic and religious minorities, as well as against women and girls, of facilitating the provision of efficient and effective remedies to the victims and of bringing the perpetrators to justice in accordance with international law;

9. *Reiterates* the important role of the Afghan Independent Human Rights Commission in the promotion and protection of human rights and fundamental freedoms, and stresses the need to expand its range of operation in all parts of Afghanistan in accordance with the Afghan Constitution;

10. *Commends* the efforts of the Government of Afghanistan to mainstream gender issues and to protect and promote the equal rights of women and men as guaranteed, inter alia, by the Convention on the Elimination of All Forms of Discrimination against Women,[149] ratified by Afghanistan on 5 March 2003, and the Afghan Constitution, in this context welcomes the high level of participation of Afghan women in the recent presidential election, and reiterates the continued importance of the full and equal participation of women in all spheres of Afghan life;

11. *Strongly condemns* incidents of discrimination and violence against women and girls, welcomes the significant efforts by the Government of Afghanistan to counter discrimination, urges the Government to actively involve all elements of Afghan society, in particular women, in the development and implementation of relief, rehabilitation and reconstruction programmes, and encourages the collection and use of statistical data on a sex-disaggregated basis to accurately track the progress of the full integration of women into the political, economic and social life of Afghanistan;

12. *Notes with concern* that opium poppy cultivation and the related drug production and trafficking pose a serious threat to security, the rule of law and development in

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[146] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[147] Resolution 54/263, annex I.

[148] See resolution 55/25.

[149] United Nations, *Treaty Series*, vol. 1249, No. 20378.

Afghanistan, and urges the Government of Afghanistan, in cooperation with the international community, to implement its comprehensive national drug control strategy, aimed at eliminating illicit poppy cultivation, supporting increased law enforcement, interdiction, demand reduction, eradication of illicit crops, crop substitution and other alternative livelihood and development programmes, increasing public awareness and building the capacity of drug control institutions, and to promote the development of sustainable livelihoods in the formal production sector as well as other sectors, thus improving substantially the lives, health and security of the people, particularly in rural areas;

13. *Expresses its appreciation* to those Governments that continue to host Afghan refugees, acknowledging the huge burden they have so far shouldered in this regard, and reminds them of their obligations under international refugee law with respect to the protection of refugees and the right to seek asylum and to allow international access for their protection and care;

14. *Calls upon* the Government of Afghanistan, acting with the support of the international community, to continue its efforts to create the conditions for the voluntary, safe, dignified and sustainable return of the remaining Afghan refugees and internally displaced persons;

15. *Stresses* the need for further progress on judicial reform in Afghanistan, and urges the Government of Afghanistan and the international community to devote resources also to the reconstruction and reform of the prison sector in order to improve the respect for the rule of law and human rights therein, while reducing physical and mental health risks to inmates;

16. *Urges* the Government of Afghanistan to meet its responsibilities under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[150] to cooperate fully with the mine action programme coordinated by the United Nations, and to execute the destruction of all existing stocks of anti-personnel landmines;

17. *Welcomes* the generous commitments made in Berlin at the International Conference on Afghanistan, and urges donors to follow through on their pledges;

18. *Urges* the international community to channel assistance through the national budget, including by contributing to the Afghanistan Reconstruction Trust Fund and the Law and Order Trust Fund, which are not adequately funded, and to generously support the national priority programmes of the Government of Afghanistan in order to strengthen ownership, transparency and the functioning of basic State institutions;

19. *Urges* the Government of Afghanistan to continue to effectively reform the public administration sector and to ensure good governance, the rule of law and accountability at all levels, both national and local;

20. *Welcomes* the initiative taken by the Government of Afghanistan in setting out priorities and development programmes and in national development, reconstruction and regional integration, and calls upon the international community to support Afghanistan in this regard;

21. *Urgently appeals* to all States, the United Nations system and international and non-governmental organizations to continue to provide, in close coordination with the Government of Afghanistan and in accordance with its national development strategy, all possible and necessary humanitarian, financial, technical and material assistance for Afghanistan;

22. *Emphasizes* the need to establish, maintain and strengthen civil-military relations among international actors, as appropriate, at all levels in order to ensure complementarity of action based on the different mandates and comparative advantages of humanitarian, development, law enforcement and military actors in Afghanistan;

23. *Invites* all States and intergovernmental and non-governmental organizations providing assistance to Afghanistan to emphasize capacity-building, institution-building and local employment generation in their work and to ensure that such work complements and contributes to the development of an economy characterized by sound macroeconomic policies, the development of a financial sector that provides services, inter alia, to microenterprises, small and medium-sized enterprises and households, transparent business regulations, accountability, good governance and the rule of law;

24. *Requests* that existing capacity-building programmes and projects be sufficiently funded in order to strengthen, inter alia, the capacity of Afghanistan to respond to natural disasters, in particular long-term drought;

25. *Requests* the Secretary-General to report to the General Assembly every six months during its fifty-ninth session on developments in Afghanistan, including, after parliamentary elections, on the future role of the United Nations Assistance Mission in Afghanistan, and to report to the Assembly at its sixtieth session on the progress made in the implementation of the present resolution;

26. *Decides* to include in the provisional agenda of its sixtieth session the sub-item entitled "Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan".

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[150] Ibid.

RESOLUTION 59/113

Adopted at the 70th plenary meeting, on 10 December 2004, without a vote, on the basis of draft resolution A/59/L.43 and Add.1, sponsored by: Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Canada, Cape Verde, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Ecuador, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, India, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, Monaco, Morocco, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of)

59/113. World Programme for Human Rights Education

The General Assembly,

Recalling the relevant resolutions adopted by the General Assembly and the Commission on Human Rights concerning the United Nations Decade for Human Rights Education, 1995–2004,

Recalling also its resolution 58/181 of 22 December 2003, in which it decided to dedicate a plenary meeting during the fifty-ninth session of the General Assembly, on the occasion of Human Rights Day, 10 December 2004, to review the achievements of the Decade and to discuss possible future activities for the enhancement of human rights education,

Taking note of Commission on Human Rights resolution 2004/71 of 21 April 2004,[151] in which the Commission recommended that the General Assembly proclaim at its fifty-ninth session a world programme for human rights education, to begin on 1 January 2005,

Reaffirming the need for continued actions at the international level to support national efforts to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[152] in particular, universal access to basic education for all, by 2015,

Convinced that human rights education is a long-term and lifelong process by which everyone learns tolerance and respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Believing that human rights education is essential to the realization of human rights and fundamental freedoms and contributes significantly to promoting equality, preventing conflict and human rights violations and enhancing participation and democratic processes, with a view to developing societies in which all human beings are valued and respected, without discrimination or distinction of any kind, such as race, colour, sex, language, religion, political, or other opinion, national or social origin, property, birth or other status,

1. *Takes note* of the views expressed in the report of the United Nations High Commissioner for Human Rights on the achievements and shortcomings of the United Nations Decade for Human Rights Education, 1995–2004, and on future United Nations activities in this area[153] concerning the need to continue a global framework for human rights education beyond the Decade in order to ensure a priority focus on human rights education within the international agenda;

2. *Proclaims* the World Programme for Human Rights Education, structured in consecutive phases, scheduled to begin on 1 January 2005, in order to advance the implementation of human rights education programmes in all sectors;

3. *Notes with appreciation* the draft plan of action for the first phase (2005–2007) of the World Programme for Human Rights Education, prepared jointly by the Office of the United Nations High Commissioner for Human Rights and the United Nations Educational, Scientific and Cultural Organization, as contained in the note by the Secretary-General,[154] and invites States to submit comments thereon to the Office of the High Commissioner, with a view to its early adoption.

RESOLUTION 59/137

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the basis of draft resolution A/59/L.45 and Add.1, sponsored by: Algeria, Armenia, Austria, Belgium, Burkina Faso, Burundi, Canada, Cape Verde, China, Cuba, Denmark, Egypt, Eritrea, Ethiopia, Ghana, Ireland, Italy, Japan, Kenya, Luxembourg, Malawi, Mozambique, Netherlands, Nigeria, Norway, Romania, Rwanda, Singapore, Somalia, South Africa, Sudan, Sweden, Tajikistan, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Zambia

59/137. Assistance to survivors of the 1994 genocide in Rwanda, particularly orphans, widows and victims of sexual violence

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,[155]

Recalling the findings and recommendations of the independent inquiry commissioned by the Secretary-General, with the approval of the Security Council, into the actions of the United Nations during the 1994 genocide in Rwanda,[156]

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[151] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[152] See resolution 55/2.

[153] E/CN.4/2004/93.

[154] A/59/525.

[155] Resolution 217 A (III).

Recalling also the report containing the findings and recommendations of the International Panel of Eminent Personalities commissioned by the Organization of African Unity to investigate the genocide in Rwanda and the surrounding events, entitled "Rwanda: The Preventable Genocide",

Recalling further its resolution 58/234 of 23 December 2003, by which it declared 7 April 2004 the International Day of Reflection on the Genocide in Rwanda,

Noting decision EX.CL/Dec.154 (V) on the report of the Chairperson of the African Union on the commemoration of the tenth anniversary of the Rwandan genocide, adopted by the Executive Council of the African Union at its fifth ordinary session, held in Addis Ababa from 30 June to 3 July 2004,

Recognizing the numerous difficulties faced by survivors of the 1994 genocide in Rwanda, particularly the orphans, widows and victims of sexual violence, who are poorer and more vulnerable as a result of the genocide, especially the many victims of sexual violence who have contracted HIV and have since either died or become seriously ill with AIDS,

Firmly convinced of the necessity to restore the dignity of the survivors of the 1994 genocide in Rwanda, which would help to promote reconciliation and healing in Rwanda,

Commending the tremendous efforts of the Government and people of Rwanda and civil society organizations, as well as international efforts, to provide support for restoring the dignity of the survivors, including the allocation by the Government of Rwanda of 5 per cent of its national budget every year to support genocide survivors,

1. *Requests* the Secretary-General to encourage the relevant agencies, funds and programmes of the United Nations system to continue to work with the Government of Rwanda in developing and implementing programmes aimed at supporting vulnerable groups that continue to suffer from the effects of the 1994 genocide, in alleviating poverty, disease and suffering and in promoting development in Rwanda;

2. *Invites* the relevant agencies, funds and programmes of the United Nations system to continue to develop and implement those programmes, utilizing existing resources and encouraging the mobilization of additional voluntary contributions;

3. *Invites* agencies, funds and programmes of the United Nations system to ensure that assistance is provided in the specific areas identified as priorities by the Government of Rwanda, notably education for orphans, medical care and treatment for victims of sexual violence, including HIV-positive victims, trauma and psychological counselling for genocide survivors and skills training and microcredit programmes aimed at promoting self-sufficiency and alleviating poverty;

4. *Encourages* all Member States to seriously consider promoting the implementation of the recommendations contained in the report of the independent inquiry into the actions of the United Nations during the 1994 genocide in Rwanda,[156] and also encourages all Member States to provide assistance to genocide survivors and other vulnerable groups in Rwanda in support of the present resolution;

5. *Expresses its appreciation* for development assistance and support for the reconstruction and rehabilitation of Rwanda after the 1994 genocide, and calls upon Member States to continue to support the development of Rwanda, inter alia, through programmes under the poverty reduction strategy;

6. *Requests* the Secretary-General, in view of the critical situation of the survivors of the 1994 genocide in Rwanda, particularly orphans, widows and victims of sexual violence, to take all necessary and practicable measures for the implementation of the present resolution, and to report thereon to the General Assembly at its sixtieth session.

RESOLUTION 59/138

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the basis of draft resolution A/59/L.25 and Add.1, as orally revised, sponsored by: Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Thailand, Trinidad and Tobago

59/138. Cooperation between the United Nations and the Caribbean Community

The General Assembly,

Recalling its resolutions 46/8 of 16 October 1991, 49/141 of 20 December 1994, 51/16 of 11 November 1996, 53/17 of 29 October 1998, 55/17 of 7 November 2000 and 57/41 of 21 November 2002,

Bearing in mind the provisions of Chapter VIII of the Charter of the United Nations on the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action and other activities consistent with the purposes and principles of the United Nations,

Bearing in mind also the assistance given by the United Nations towards the maintenance of peace and security in the Caribbean region,

Recalling the signing, on 27 May 1997, by the Secretary-General of the United Nations and the Secretary-General of the Caribbean Community of a cooperation agreement between the secretariats of the two organizations,

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[156] See S/1999/1257.

Noting with satisfaction that the third general meeting between representatives of the Caribbean Community and its associated institutions and of the United Nations system was held in New York on 12 and 13 April 2004,

Bearing in mind that, in its resolutions 54/225 of 22 December 1999, 55/203 of 20 December 2000 and 57/261 of 20 December 2002, it recognized the importance of adopting an integrated management approach to the Caribbean Sea area in the context of sustainable development,

Bearing in mind also that in the United Nations Millennium Declaration, adopted by resolution 55/2 of 8 September 2000, Heads of State and Government resolved to address the special needs of small island developing States by implementing the Barbados Programme of Action[157] and the outcome of the twenty-second special session of the General Assembly[158] rapidly and in full,

Noting that the World Summit for Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002, considered the specific issues and problems facing small island developing States, and noting that a special meeting to review the implementation of the Barbados Programme of Action, will be convened in Mauritius in January 2005,

Noting also that the Declaration of Commitment on HIV/AIDS adopted by the General Assembly in resolution S-26/2 of 27 June 2001 recognized the Caribbean region as having the second-highest rate of infection after sub-Saharan Africa and that the region therefore needs special attention and assistance from the international community,

Noting further that the Caribbean region has been hard hit, and in some cases devastated, by hurricanes in 2004, and concerned that their frequency, intensity and destructive power pose a challenge to the development endeavours of the region,

Affirming the need to strengthen the cooperation that already exists between entities of the United Nations system and the Caribbean Community in the areas of economic and social development, as well as the areas of political and humanitarian affairs,

Convinced of the need for the coordinated utilization of available resources to promote the common objectives of the two organizations,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[159]

1. *Takes note* of the report of the Secretary-General,[159] in particular section IV on the Caribbean Community, as well as efforts to strengthen cooperation;

2. *Calls upon* the Secretary-General of the United Nations, in association with the Secretary-General of the Caribbean Community, as well as the relevant regional organizations, to continue to assist in furthering the development and maintenance of peace and security within the Caribbean region;

3. *Invites* the Secretary-General to continue to promote and expand cooperation and coordination between the United Nations and the Caribbean Community in order to increase the capacity of the two organizations to attain their objectives;

4. *Urges* the specialized agencies and other organizations and programmes of the United Nations system to cooperate with the Secretary-General of the United Nations and the Secretary-General of the Caribbean Community in order to initiate, maintain and increase consultations and programmes with the Caribbean Community and its associated institutions in the attainment of their objectives, with special attention to the areas and issues identified at the third general meeting, as set out in the report of the Secretary-General, as well as in resolutions 54/225, 55/203, 55/2 and S-26/2 and the decision of the World Summit on Sustainable Development on the sustainable development of small island developing States;[160]

5. *Invites* the organizations of the United Nations system as well as Member States to increase financial and other assistance to the countries of the Caribbean Community to help to implement the priorities of the Caribbean Regional Strategic Plan of Action, which sets out realistic targets for reducing the rate of new infections, raising the quality and coverage of care, treatment and support and building institutional capacity, and to cope with the problems and the burden caused by the HIV/AIDS pandemic;

6. *Invites* the Secretary-General to consider utilizing a strategic programming framework modality to strengthen the coordination and cooperation between the two secretariats as well as between the United Nations field offices and the Caribbean Community;

7. *Calls upon* the United Nations, the specialized agencies and other organizations and programmes of the United Nations system to assist the countries of the Caribbean, in

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[157] Programme of Action for Sustainable Development of Small Island Developing States (*Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex II).

[158] See resolution S-22/2.

[159] A/59/303.

[160] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2.

particular those in greatest need, such as Grenada and Haiti, in their rebuilding efforts after the hurricane damage of 2004;

8. *Welcomes* the initiatives of Member States in assisting in the cooperation between the United Nations and the Caribbean Community, and encourages their continuing efforts;

9. *Recommends* that the fourth general meeting between representatives of the Caribbean Community and its associated institutions and of the United Nations system be held in the Caribbean in early 2006 in order to review and appraise progress in the implementation of the agreed areas and issues and to hold consultations on such additional measures and procedures as may be required to facilitate and strengthen cooperation between the two organizations;

10. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Caribbean Community".

RESOLUTION 59/139

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the basis of draft resolution A/59/L.31 and Add.1, sponsored by: Albania, Andorra, Armenia, Austria, Azerbaijan, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Netherlands, Norway, Panama, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland

59/139. Cooperation between the United Nations and the Council of Europe

The General Assembly,

Recalling the Agreement between the Council of Europe and the Secretariat of the United Nations signed on 15 December 1951 and the Arrangement on Cooperation and Liaison between the secretariats of the United Nations and the Council of Europe of 19 November 1971,

Welcoming the report of the Secretary-General on cooperation between the United Nations and the Council of Europe,[161]

1. *Reiterates its appreciation* for the ongoing fruitful cooperation between the United Nations and its agencies and the Council of Europe, including its Commissioner for Human Rights and its partial and enlarged agreements, both at the level of headquarters and in the field;

2. *Notes* the constructive interest of the Parliamentary Assembly of the Council of Europe in the reform process of the United Nations, including its willingness to contribute to the discussion on how to give a parliamentary dimension to the world Organization;

3. *Requests* the Secretary-General of the United Nations to continue exploring, with the Secretary-General of the Council of Europe, possibly by arranging a meeting of representatives of the two organizations in the light of the outcome of the Third Summit of the Council of Europe, possibilities for further enhancement of cooperation between the organizations;

4. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Council of Europe", and requests the Secretary-General to submit to the General Assembly at its sixty-first session a report on cooperation between the United Nations and the Council of Europe in general and, in particular, the results of the efforts referred to in paragraph 3 above to explore possibilities for further cooperation between the two organizations.

RESOLUTION 59/140

Adopted at the 72nd plenary meeting, on 15 December 2004, without a vote, on the basis of draft resolution A/59/L.42 and Add.1, sponsored by: Angola, Botswana, Burkina Faso, Cameroon, Democratic Republic of the Congo, Jamaica, Japan, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Rwanda, Senegal, Somalia, South Africa, Sudan, Swaziland, Timor-Leste, Togo, United Republic of Tanzania, Zambia, Zimbabwe

59/140. Cooperation between the United Nations and the Southern African Development Community

The General Assembly,

Recalling its resolution 37/248 of 21 December 1982 and all other relevant General Assembly resolutions and decisions on the promotion of cooperation between the United Nations and the Southern African Development Community, including resolution 57/44 of 21 November 2002 and decision 56/443 of 21 December 2001,

Welcoming the adoption of its resolution 59/49 of 2 December 2004, in which it decided to invite the Community to participate in its sessions and its work in the capacity of observer,

Commending States members of the Community for demonstrating continued commitment to deeper and more formal arrangements for cooperation among themselves towards regional integration,

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[161] A/59/303, part one, sect. V.

Recognizing the continued efforts to strengthen democracy, good governance, sound economic management, human rights and the rule of law and the consolidation of peace, including the adoption at the annual summit of the Community, held in Mauritius on 16 and 17 August 2004, of the Principles and Guidelines Governing Democratic Elections,

Noting with concern the HIV/AIDS pandemic, which has reached crisis proportions in the region, and the high prevalence of communicable diseases such as malaria and tuberculosis, which are having far-reaching social and economic consequences,

Noting the continued efforts of the Community to make Southern Africa a landmine-free zone,

Expressing concern about the very difficult humanitarian situation in countries of the region,

Welcoming the launch by the Community of the Strategic Indicative Plan for the Organ on Politics, Defence and Security Cooperation in August 2004 as an enabling instrument for the implementation of the development agenda embodied in the Regional Indicative Strategic Development Plan of the Community,

Recognizing the important role that women play in the development of the region,

Recognizing also the important role of civil society and the private sector in the development of the region,

1. *Takes note* of the report of the Secretary-General on cooperation between the United Nations and regional and other organizations;[162]

2. *Expresses its appreciation* to the United Nations funds and programmes as well as the international community for the financial, technical and material support given to the Southern African Development Community;

3. *Expresses its support* for the economic reforms being implemented by States members of the Community, in pursuance of their shared vision of creating a strengthened regional economic community through deeper economic integration;

4. *Calls upon* the international community to strengthen support for the measures taken by the Community in addressing HIV/AIDS, including commitments on the outcome of the special session of the General Assembly on HIV/AIDS,[163] as well as support for the implementation of the Maseru Declaration on the Fight against HIV/AIDS;

5. *Appeals* to the United Nations, its related bodies and the international community to assist and support the Community in its efforts against landmines;

6. *Appeals* to the international community and to relevant organizations and bodies of the United Nations system to continue providing financial, technical and material assistance to the Community to support its efforts to fully implement the Regional Indicative Strategic Development Plan and the New Partnership for Africa's Development[164] as well as towards the achievement of the Millennium Development Goals;

7. *Calls upon* the international community to support the efforts of the Community in capacity-building and in addressing the new challenges, opportunities and consequences presented to the economies in the region arising from the process of globalization and liberalization;

8. *Requests* the Secretary-General, in consultation with the Executive Secretary of the Community, to enhance contacts aimed at promoting and harmonizing further cooperation between the United Nations and the Community;

9. *Also requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on cooperation between the United Nations and the Southern African Development Community.

RESOLUTION 59/141

Adopted at the 72nd plenary meeting, on 15 December 2004, without a vote, on the basis of draft resolution A/59/L.49 and Add.1, sponsored by: Albania, Argentina, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Cape Verde, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Morocco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

59/141. Strengthening of the coordination of emergency humanitarian assistance of the United Nations

The General Assembly,

Recalling its resolution 46/182 of 19 December 1991 and the guiding principles contained in the annex thereto, other relevant General Assembly and Economic and Social Council resolutions and agreed conclusions of the Council,

Taking note of the report of the Secretary-General,[165]

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[162] A/59/303.

[163] Resolution S-26/2, annex.

[164] A/57/304, annex.

[165] A/59/93-E/2004/74.

Reaffirming the principles of humanity, neutrality and impartiality for the provision of humanitarian assistance,

Recognizing that independence, meaning the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented, is also an important guiding principle for the provision of humanitarian assistance,

Gravely concerned that violence, including sexual abuse and sexual and other violence against women, girls and boys, continues to be, in many emergency situations, deliberately directed against civilian populations,

Gravely concerned also about the lack of access by humanitarian personnel to victims of humanitarian emergencies, in particular in armed conflict and in post-conflict situations, in many regions of the world,

Reaffirming the responsibility first and foremost of States to take care of the victims of humanitarian emergencies within their own borders, while recognizing that the magnitude and duration of many emergencies may be beyond the response capacity of many affected countries,

Reaffirming also that States whose populations are in need of humanitarian assistance are called upon to facilitate the work of humanitarian organizations and that States in proximity to humanitarian emergencies are urged to facilitate, to the extent possible, the transit of humanitarian assistance,

Concerned about the need to mobilize adequate support, including financial resources, for emergency humanitarian assistance at all levels, including at national, regional and international levels,

Emphasizing that the Office for the Coordination of Humanitarian Affairs of the Secretariat should benefit from adequate and more predictable funding, while stressing the importance for the Office to continue to make efforts to broaden its donor base,

Reiterating that contributions for humanitarian assistance should be provided in a way that is not to the detriment of resources made available for international cooperation for development,

Recognizing the importance of humanitarian assistance in ensuring the effective transition from conflict to peace and the positive effect it may have in preventing the recurrence of armed conflict, and that humanitarian assistance must be provided in ways that will be supportive of recovery and long-term development,

Noting with grave concern the growing intensity and recurrence of natural disasters, and reaffirming the importance of sustainable measures to reduce the vulnerability of societies to natural hazards using an integrated, multi-hazard and participatory approach to addressing vulnerability, risk assessment and disaster prevention, mitigation, preparedness, response and recovery,

1. *Takes note with appreciation* of the outcome of the seventh humanitarian affairs segment of the Economic and Social Council, during its substantive session of 2004;

2. *Encourages* the Emergency Relief Coordinator to continue his efforts to strengthen the coordination of humanitarian assistance, and calls upon relevant United Nations organizations as well as other humanitarian and development actors to work with the Office for the Coordination of Humanitarian Affairs of the Secretariat in enhancing the coordination, effectiveness and efficiency of humanitarian assistance;

3. *Recognizes* the importance of secure and predictable funding to the coordinated, appropriate and timely delivery of humanitarian assistance, stresses the need to increase in an incremental way, in the normal course of the budget process, the share of the budget of the Office for the Coordination of Humanitarian Affairs borne by the regular budget of the United Nations, and requests the Secretary-General to give this matter full consideration;

4. *Emphasizes* the importance of the discussion of humanitarian policies and activities in the General Assembly and in the Economic and Social Council and that these discussions should be further revitalized by Member States;

5. *Calls upon* Governments, relevant organizations of the United Nations system, other relevant international organizations and non-governmental organizations to cooperate with the Secretary-General and the Emergency Relief Coordinator to ensure timely implementation of and follow-up to resolutions of the General Assembly and resolutions of the Economic and Social Council adopted at the humanitarian affairs segment of its substantive sessions;

6. *Strongly encourages* the United Nations to address more systematically protection of civilians and other humanitarian issues with regional organizations, in accordance with their respective mandates, inter alia, through dialogue;

7. *Decides* to raise the maximum limit of an emergency cash grant to 100,000 United States dollars per country in the case of any one disaster, within existing resources available from the regular budget of the United Nations;

8. *Encourages* the Office for the Coordination of Humanitarian Affairs, in close collaboration with the United Nations Development Group Office, to improve further the training and capacity of humanitarian and resident coordinators so that they can respond to the full range of humanitarian issues and those related to transition from relief to development in a given context, including protection and assistance needs;

9. *Calls upon* the Secretary-General to ensure that the design and implementation of United Nations integrated

missions take into account the principles of humanity, neutrality and impartiality as well as independence for the provision of humanitarian assistance;

10. *Welcomes* the ongoing work within the United Nations on the complex issue of transition from relief to development, and takes note of the request by the Economic and Social Council to the Secretary-General to prepare a report on the issue for further consideration by the Council and the General Assembly;

11. *Emphasizes* the fundamentally civilian character of humanitarian assistance, reaffirms the leading role of civilian organizations in implementing humanitarian assistance, particularly in areas affected by conflicts, and affirms the need, in situations where military capacity and assets are used to support the implementation of humanitarian assistance, for their use to be in conformity with international humanitarian law and humanitarian principles;

12. *Recalls* the 2003 "Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies",[166] as well as the 1994 "Guidelines on the Use of Military and Civil Defence Assets in Disaster Relief",[167] and stresses the value of their use and of the development by the United Nations in consultation with States and other relevant actors of further guidance on civil-military relations in the context of humanitarian activities and transition situations;

13. *Strongly condemns* all acts of violence committed against civilian populations in situations of humanitarian crisis, especially against women, girls and boys, including sexual violence and abuse, and reiterates that such acts can constitute serious violations or grave breaches of international humanitarian law and constitute, in defined circumstances, a crime against humanity and/or a war crime;

14. *Calls upon* States to adopt preventive measures and effective responses to acts of violence committed against civilian populations as well as to ensure that those responsible are promptly brought to justice, as provided for by national law and obligations under international law;

15. *Reaffirms* the obligation of all States and parties to an armed conflict to protect civilians in armed conflicts in accordance with international humanitarian law, and invites States to promote a culture of protection, taking into account the particular needs of women, children, older persons and persons with disabilities;

16. *Encourages* Member States with internally displaced persons to develop or strengthen, as appropriate, national laws, policies and minimum standards on internal displacement, inter alia, taking into account the Guiding Principles on Internal Displacement,[168] and to continue to work with humanitarian agencies in endeavours to provide a more predictable response to the needs of internally displaced persons, and in this regard calls for international support, upon request, to the capacity-building efforts of Governments;

17. *Strongly condemns* all forms of violence to which humanitarian personnel and United Nations and its associated personnel are increasingly subjected, as well as any act or failure to act, contrary to international law that obstructs or prevents humanitarian personnel and United Nations and its associated personnel from discharging their humanitarian functions;

18. *Calls upon* all Governments and parties in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations, in countries in which humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel as well as supplies and equipment in order to allow them to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons;

19. *Expresses concern* about the continued occurrence of sexual exploitation and abuse in humanitarian crises, emphasizes that the highest standards of conduct and accountability are required of all personnel serving in humanitarian and peacekeeping operations, and requests the Secretary-General to report on measures to follow up, inter alia, the Plan of Action on Protection from Sexual Exploitation and Abuse in Humanitarian Crises developed by the Inter-Agency Standing Committee[169] and the application of the bulletin of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse;[170]

20. *Takes note with interest* of the progress being made by donors to improve their policies and practices of good donorship, including under the Good Humanitarian Donorship initiative, and calls upon donors to take further steps to improve their policies and practices with respect to humanitarian assistance;

21. *Calls upon* relevant United Nations organizations to continue to improve transparency and reliability of humanitarian needs assessments;

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[166] Available from www.reliefweb.int.

[167] Department of Humanitarian Affairs publication, DHA/94/95.

[168] E/CN.4/1998/53/Add.2, annex.

[169] See A/57/465, annex I.

[170] ST/SGB/2003/13.

22. *Encourages* the Secretary-General to continue to improve his reporting on emergency humanitarian assistance, including with respect to natural disasters;

23. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session, through the Economic and Social Council at its substantive session of 2005, on progress made in strengthening the coordination of emergency humanitarian assistance of the United Nations.

RESOLUTION 59/142

Adopted at the 72nd plenary meeting, on 15 December 2004, without a vote, on the basis of draft resolution A/59/L.17/Rev.1 and Add.1, as orally revised, sponsored by: Algeria, Azerbaijan, Bangladesh, Cape Verde, China, Costa Rica, Djibouti, Ecuador, Egypt, Iran (Islamic Republic of), Jordan, Kazakhstan, Malaysia, Morocco, Pakistan, Panama, Sudan, Tajikistan, Timor-Leste, Togo, Tunisia

59/142. Promotion of religious and cultural understanding, harmony and cooperation

The General Assembly,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[171] in particular the rights to freedom of thought, conscience and religion,

Underlining the importance of promoting understanding, tolerance and friendship among human beings in all their diversity of religion, belief, culture and language, and recalling that all States have pledged themselves under the Charter to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Affirming that interreligious dialogue is an integral part of the efforts to translate shared values, as reflected in the United Nations Millennium Declaration,[172] into actions, in particular the efforts to promote a culture of peace and dialogue among civilizations,

Recalling its resolution 58/128 of 19 December 2003 as well as its resolution 57/6 of 4 November 2002, in which it invited Member States to expand their activities promoting a culture of peace and non-violence at the national, regional and international levels, and other relevant resolutions,

Taking note of different initiatives aimed at promoting religious and cultural understanding, harmony and cooperation, and noting that at its tenth session, held at Putrajaya, Malaysia, from 16 to 18 October 2003, the Islamic Summit Conference endorsed the concept of "enlightened moderation", which contained the principles of enhancing human welfare, freedom and progress everywhere, of forging harmony and understanding among all peoples and of seeking the peaceful resolution of conflicts and disputes,

Recalling with satisfaction the proclamation of the Global Agenda for Dialogue among Civilizations,[173] bearing in mind the valuable contribution that dialogue among civilizations can make to an improved awareness and understanding of the common values shared by all humankind,

Recalling the Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization[174] and the principles contained therein,

Emphasizing the need, at all levels of society and among nations, for strengthening freedom, justice, democracy, tolerance, solidarity, cooperation, pluralism, respect for diversity of culture and religion or belief, dialogue and understanding, which are important elements for peace, and convinced that the guiding principles of democratic society need to be actively promoted by the international community,

Reaffirming that freedom of expression, media pluralism, multilingualism, equal access to art and to scientific and technological knowledge, including in digital form, and the possibility for all cultures to have access to the means of expression and dissemination are the guarantees of cultural diversity, and that in ensuring the free flow of ideas by word and image, care should be exercised that all cultures can express themselves and make themselves known,

Recognizing all efforts made by the United Nations system and other international and regional organizations to promote understanding, tolerance and friendship among human beings in all their diversity of culture, religion, belief and language, including the initiative of the United Nations Educational, Scientific and Cultural Organization to proclaim 2006 the International Year of Global Consciousness and the Ethics of Dialogue among Peoples,[175]

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, are on the increase in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Considering that tolerance for cultural, ethnic, and religious and linguistic diversities, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world,

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[171] Resolution 217 A (III).

[172] See resolution 55/2.

[173] Resolution 56/6.

[174] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-first Session, Paris, 15 October–3 November 2001*, vol. 1: *Resolutions*, chap. V, resolution 25, annex I.

[175] Ibid., *Thirty-second Session, Paris, 29 September–17 October 2003*, vol.1: *Resolutions*, chap. IV, resolution 30.

Emphasizing that combating hatred, prejudice, intolerance and stereotyping on the basis of religion or culture represents a significant global challenge that requires further action,

1. *Takes note* of the report transmitted by the Secretary-General in accordance with resolution 58/128;[176]

2. *Acknowledges* that respect for the diversity of religions and cultures, tolerance, dialogue and cooperation in a climate of mutual trust and understanding can contribute to the combating of ideologies and practices based on discrimination, intolerance and hatred and help to reinforce world peace, social justice and friendship among peoples;

3. *Reaffirms* the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law; the universal nature of these rights and freedoms is beyond question;

4. *Also reaffirms* the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions in a national and international atmosphere of peace, tolerance and mutual respect;

5. *Recognizes* that respect for religious and cultural diversity in an increasingly globalizing world contributes to international cooperation, promotes enhanced dialogue among religions, cultures and civilizations, and helps to create an environment conducive to the exchange of human experience;

6. *Also recognizes* that all cultures and civilizations share a common set of universal values;

7. *Further recognizes* that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

8. *Reaffirms* that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural diversity and heritage of society as a whole in the States in which such persons live, and urges States to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic and political institutions, organizations and practices so that they are more fully participatory and avoid the marginalization and exclusion of, and discrimination against, specific sectors of society;

9. *Encourages* Governments to promote, including through education, as well as the development of progressive curricula and text books, understanding, tolerance and friendship among human beings in all their diversity of religion, belief, culture and language, which will address the cultural, social, economic, political and religious sources of intolerance, and to apply a gender perspective while doing so, in order to promote understanding, tolerance, peace and friendly relations among nations and all racial and religious groups, recognizing that education at all levels is one of the principal means to build a culture of peace;

10. *Calls upon* all States to exert their utmost efforts to ensure that religious and cultural sites are fully respected and protected in compliance with their international obligations and in accordance with their national legislation, and to adopt adequate measures aimed at preventing acts or threats of damage to and destruction of these sites;

11. *Urges* States, in compliance with their international obligations, to take all necessary action to combat incitement to or acts of violence, intimidation and coercion motivated by hatred and intolerance based on culture, religion or belief, which may cause discord and disharmony within and among societies;

12. *Also urges* States to take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life and to make all efforts to enact or rescind legislation, where necessary, to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or beliefs;

13. *Further urges* States to ensure that, in the course of their official duties, members of law enforcement bodies and the military, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs, and that any necessary and appropriate education or training is provided;

14. *Welcomes* the efforts of States, relevant entities of the United Nations system and other intergovernmental organizations, civil society, including religion-based and other non-governmental organizations, and the media in developing a culture of peace, and encourages them to continue such efforts, including the promotion of interreligious and intercultural interaction within and among societies through, inter alia, congresses, conferences, seminars, workshops, research work and related processes;

15. *Requests* the Secretary-General to ensure the widest dissemination of the relevant United Nations material related to

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[176] See A/59/201.

the present resolution in as many different languages as possible through the United Nations system, including the United Nations information centres, within available resources;

16. *Also requests* the Secretary-General, in the context of his report to the General Assembly at its sixtieth session under the item entitled "Culture of peace", to include information on the implementation of the present resolution.

RESOLUTION 59/143

Adopted at the 72nd plenary meeting, on 15 December 2004, without a vote, on the basis of draft resolution A/59/L.21 and Add.1, sponsored by: Afghanistan, Algeria, Argentina, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Brazil, Burkina Faso, Cambodia, Cameroon, Chile, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gambia, Guatemala, Guyana, Haiti, India, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lebanon, Malawi, Marshall Islands, Mauritius, Mongolia, Mozambique, Namibia, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sudan, Swaziland, Tajikistan, Thailand, Timor-Leste, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam

59/143. International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010

The General Assembly,

Bearing in mind the Charter of the United Nations, including the purposes and principles contained therein, and especially the dedication to saving succeeding generations from the scourge of war,

Recalling the Constitution of the United Nations Educational, Scientific and Cultural Organization, which states that, "since wars begin in the minds of men it is in the minds of men that the defences of peace must be constructed",

Recalling also its previous resolutions on a culture of peace, in particular resolution 52/15 of 20 November 1997 proclaiming 2000 the International Year for the Culture of Peace, resolution 53/25 of 10 November 1998 proclaiming the period 2001–2010 the International Decade for a Culture of Peace and Non-Violence for the Children of the World, and resolutions 56/5 of 5 November 2001, 57/6 of 4 November 2002 and 58/11 of 10 November 2003,

Reaffirming the Declaration [177] and Programme of Action[178] on a Culture of Peace, recognizing that they serve, inter alia, as the basis for the observance of the Decade, and convinced that the effective and successful observance of the Decade throughout the world will promote a culture of peace and non-violence that benefits humanity, in particular future generations,

Recalling the United Nations Millennium Declaration,[179] which calls for the active promotion of a culture of peace,

Taking note of Commission on Human Rights resolution 2000/66 of 26 April 2000, entitled "Towards a culture of peace",[180]

Taking note also of the report of the Secretary-General on the International Decade for a Culture of Peace and Non-Violence for the Children of the World, [181] including paragraph 28 thereof, which indicates that each of the ten years of the Decade will be marked with a different priority theme related to the Programme of Action,

Noting the relevance of the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002, the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002, the special session of the General Assembly on children, held in New York from 8 to 10 May 2002, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 7 September 2001, and the United Nations Decade for Human Rights Education, 1995–2004, for the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, as well as the need to implement, as appropriate, the relevant decisions agreed upon therein,

Recognizing that all efforts made by the United Nations system in general and the international community at large for peacekeeping, peacebuilding, the prevention of conflicts, disarmament, sustainable development, the promotion of human dignity and human rights, democracy, the rule of law, good governance and gender equality at the national and international levels contribute greatly to the culture of peace,

Noting that its resolution 57/337 of 3 July 2003 on the prevention of armed conflict could contribute to the further promotion of a culture of peace,

Taking into account the "Manifesto 2000" initiative of the United Nations Educational, Scientific and Cultural Organization promoting a culture of peace, which has so far received over seventy-five million signatures of endorsement throughout the world,

Taking note with appreciation of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the implementation of General Assembly resolution 58/11,[182]

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[177] Resolution 53/243 A.

[178] Resolution 53/243 B.

[179] See resolution 55/2.

[180] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* and corrigendum (E/2000/23 and Corr.1), chap. II, sect. A.

[181] A/56/349.

1. *Reiterates* that the objective of the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, is to strengthen further the global movement for a culture of peace following the observance of the International Year for the Culture of Peace in 2000;

2. *Invites* Member States to continue to place greater emphasis on and expand their activities promoting a culture of peace and non-violence, in particular during the Decade, at the national, regional and international levels and to ensure that peace and non-violence are fostered at all levels;

3. *Commends* the United Nations Educational, Scientific and Cultural Organization for recognizing the promotion of a culture of peace as the expression of its fundamental mandate, and encourages it, as the lead agency for the Decade, to strengthen further the activities it has undertaken for promoting a culture of peace, including the dissemination of the Declaration[177] and Programme of Action[178] on a Culture of Peace and related materials in various languages across the world;

4. *Also commends* the relevant United Nations bodies, in particular the United Nations Children's Fund, the United Nations Development Fund for Women and the University for Peace, for their activities in further promoting a culture of peace and non-violence, including the promotion of peace education and activities related to specific areas identified in the Programme of Action on a Culture of Peace, and encourages them to continue and further strengthen and expand their efforts;

5. *Encourages* the appropriate authorities to provide education, in children's schools, that includes lessons in mutual understanding, tolerance, active citizenship, human rights and the promotion of a culture of peace;

6. *Encourages* civil society, including non-governmental organizations, to strengthen its efforts in furtherance of the objectives of the Decade, inter alia, by adopting its own programme of activities to complement the initiatives of Member States, the organizations of the United Nations system and other international and regional organizations;

7. *Encourages* the involvement of the mass media in education for a culture of peace and non-violence, with particular regard to children and young people, including through the planned expansion of the Culture of Peace News Network as a global network of Internet sites in many languages;

8. *Welcomes* the efforts made by the United Nations Educational, Scientific and Cultural Organization to continue the communication and networking arrangements established during the International Year for providing an instant update of developments related to the observance of the Decade;

9. *Invites* Member States to observe 21 September each year as the International Day of Peace, as a day of global ceasefire and non-violence, in accordance with General Assembly resolution 55/282 of 7 September 2001;

10. *Invites* Member States as well as civil society, including non-governmental organizations, to provide information to the Secretary-General on the observance of the Decade and the activities undertaken to promote a culture of peace and non-violence;

11. *Emphasizes* the significance of the plenary meetings on the item planned for its sixtieth session,[183] and in that regard encourages participation at a high level, and decides to consider, at an appropriate time, the possibility of organizing those meetings as close as possible to the general debate;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

13. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Culture of peace".

RESOLUTION 59/144

Adopted at the 72nd plenary meeting, on 15 December 2004, without a vote, on the basis of draft resolution A/59/L.46 and Add.1, sponsored by: Angola, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Botswana, Brazil, Bulgaria, Canada, Central African Republic, China, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guyana, Hungary, Israel, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Mauritius, Namibia, Netherlands, Norway, Poland, Portugal, Republic of Korea, Russian Federation, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of)

59/144. The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts

The General Assembly,

Recognizing that the trade in conflict diamonds is a matter of serious international concern, which can be directly linked to the fuelling of armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate Governments and the illicit traffic in and proliferation of armaments, especially small arms and light weapons,

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[182] See A/59/223.

[183] See resolution 55/47, para. 13.

Recognizing also the devastating impact of conflicts fuelled by the trade in conflict diamonds on the peace, safety and security of people in affected countries, and the systematic and gross human rights violations that have been perpetrated in such conflicts,

Noting the negative impact of such conflicts on regional stability and the obligations placed upon States by the Charter of the United Nations regarding the maintenance of international peace and security,

Recognizing, therefore, that continued action to curb the trade in conflict diamonds is imperative,

Recognizing also the positive benefits of the legitimate diamond trade to producing countries, and underlining the need for continued international action to prevent the problem of conflict diamonds from negatively affecting the trade in legitimate diamonds, which makes a critical contribution to the economies of many of the producing, exporting and importing States, especially developing States,

Noting that the vast majority of rough diamonds produced in the world are from legitimate sources,

Recalling the Charter and all the relevant resolutions of the Security Council related to conflict diamonds, and determined to contribute to and support the implementation of the measures provided for in those resolutions,

Recalling also Security Council resolution 1459 (2003) of 28 January 2003, in which the Council strongly supported the Kimberley Process Certification Scheme[184] as a valuable contribution against trafficking in conflict diamonds,

Welcoming the important contribution of the Kimberley Process, which was initiated by African diamond-producing countries,

Believing that the implementation of the Kimberley Process Certification Scheme should substantially reduce the opportunity for conflict diamonds to play a role in fuelling armed conflict and should help to protect legitimate trade and ensure the effective implementation of the relevant resolutions on trade in conflict diamonds,

Recalling its resolutions 55/56 of 1 December 2000, 56/263 of 13 March 2002, 57/302 of 15 April 2003 and 58/290 of 14 April 2004, in which it called for the development and implementation of proposals for a simple, effective and pragmatic international certification scheme for rough diamonds,

Welcoming, in this regard, the implementation of the Kimberley Process Certification Scheme in such a way that it does not impede the legitimate trade in diamonds or impose an undue burden on Governments or industry, particularly smaller producers, and does not hinder the development of the diamond industry,

Welcoming also the decision of countries and one regional economic integration organization to address the problem of conflict diamonds by participating in the Kimberley Process and to implement the Kimberley Process Certification Scheme,

Welcoming further the important contribution made by the diamond industry, in particular the World Diamond Council, as well as civil society, to assist international efforts to stop the trade in conflict diamonds,

Welcoming the voluntary self-regulation initiatives for the diamond industry announced by the World Diamond Council, and recognizing that a system of such voluntary self-regulation will contribute, as described in the Interlaken Declaration of 5 November 2002 on the Kimberley Process Certification Scheme for Rough Diamonds,[185] to ensuring the effectiveness of national systems of internal control for rough diamonds,

Noting with appreciation that the Kimberley Process has pursued its deliberations on an inclusive basis, involving concerned stakeholders, including producing, exporting and importing States, the diamond industry and civil society,

Recognizing that State sovereignty should be fully respected and that the principles of equality, mutual benefits and consensus should be adhered to,

Recognizing also that the Kimberley Process Certification Scheme, which came into effect on 1 January 2003, will be credible only if all participants have established internal systems of control designed to eliminate the presence of conflict diamonds in the chain of producing, exporting and importing rough diamonds within their own territories, while taking into account that differences in production methods and trading practices, as well as differences in institutional controls thereof, may require different approaches to meet minimum standards,

1. *Reaffirms its strong and continuing support* for the Kimberley Process Certification Scheme;[184]

2. *Recognizes* that the Kimberley Process Certification Scheme can help to ensure the effective implementation of relevant resolutions of the Security Council containing sanctions on the trade in conflict diamonds, and calls for the full implementation of existing Council measures targeting the illicit trade in rough diamonds that play a role in fuelling conflict;

3. *Also recognizes* the important contributions that the international efforts to address the problem of conflict diamonds, including the Kimberley Process Certification Scheme, have made to the settlement of conflicts in Angola, the

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[184] See A/57/489.

[185] Ibid., annex 2.

Democratic Republic of the Congo, Liberia and Sierra Leone, and the ongoing value of the Certification Scheme as a mechanism for the prevention of future conflicts;

4. *Stresses* that the widest possible participation in the Kimberley Process Certification Scheme is essential and should be encouraged, and urges all Member States to participate actively in the Certification Scheme by complying with its undertakings;

5. *Notes with appreciation* the report of the Chair of the Kimberley Process submitted pursuant to resolution 58/290,[186] and congratulates the Governments, regional economic integration organization representatives, the organized diamond industry and civil society participating in the Kimberley Process for contributing to the development and implementation of the Kimberley Process Certification Scheme;

6. *Takes note* of the decision of the General Council of the World Trade Organization of 15 May 2003 granting a waiver with respect to the measures taken to implement the Kimberley Process Certification Scheme, effective from 1 January 2003 to 31 December 2006;[187]

7. *Welcomes* the progress achieved at the plenary meeting of the Kimberley Process held in Gatineau, Canada, from 27 to 29 October 2004, expanding the mandate of the Participation Committee to advise the Chair on matters of non-compliance by participants;

8. *Also welcomes* the important progress made towards the implementation of the peer review mechanism, including the submission of annual reports by all participants and the completion of eleven voluntary review visits, and encourages all remaining participants to receive voluntary review visits;

9. *Encourages* all participants in the Kimberley Process Certification Scheme to collate and submit relevant statistical data on the production of and international trade in rough diamonds as a tool for effective implementation and as envisaged by the Certification Scheme;

10. *Acknowledges with great appreciation* the important contribution that Canada, as Chair of the Kimberley Process in 2004, has made to the efforts to curb the trade in conflict diamonds, and welcomes the succession of the Russian Federation as Chair and Botswana as Vice-Chair of the Process for 2005;

11. *Requests* the Chair of the Kimberley Process to submit a report on the implementation of the Process to the General Assembly at its sixtieth session;

12. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "The role of diamonds in fuelling conflict".

RESOLUTION 59/145

Adopted at the 73rd plenary meeting, on 17 December 2004, without a vote, on the basis of draft resolution A/59/L.53, as orally revised, submitted by the President of the General Assembly

59/145. Modalities, format and organization of the High-level Plenary Meeting of the sixtieth session of the General Assembly

The General Assembly,

Recalling its resolution 58/291 of 6 May 2004 by which it decided to convene in New York in 2005, at the commencement of the sixtieth session of the General Assembly, a high-level plenary meeting of the Assembly with the participation of Heads of State and Government, on dates to be decided by the Assembly at its fifty-ninth session,

Recalling that in its resolution 58/291 it also decided that the High-level Plenary Meeting would undertake a comprehensive review of the progress made in the fulfilment of all the commitments contained in the United Nations Millennium Declaration,[188] including the internationally agreed development goals and the global partnership required for their achievement, and of the progress made in the integrated and coordinated implementation, at the national, regional and international levels, of the outcomes and commitments of the major United Nations conferences and summits in the economic, social and related fields, on the basis of a comprehensive report to be submitted by the Secretary-General,

Welcoming the report of the Secretary-General entitled "Modalities, format and organization of the high-level plenary meeting of the sixtieth session of the General Assembly"[189] requested in its resolution 58/291 and following informal consultations convened by the President of the General Assembly,

Convinced that the High-level Plenary Meeting will constitute a significant event,

1. *Decides* that the High-level Plenary Meeting of the sixtieth session of the General Assembly shall be held from 14 to 16 September 2005 in New York;

2. *Reiterates* that the High-level Plenary Meeting will be held with the participation of Heads of State and Government, and encourages all Member States to be represented at that level;

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[186] A/59/590, annex.

[187] See World Trade Organization, document WT/L/518. Available from http://docsonline.wto.org.

[188] See resolution 55/2.

[189] A/59/545.

3. *Decides* that the High-level Plenary Meeting will be composed of six plenary meetings, on the basis of two meetings a day, and four interactive round-table sessions, and also that each round-table session will cover the entire agenda of the High-level Plenary Meeting and will be held in concurrence with a plenary meeting;

4. *Decides also* to hold the High-level Dialogue on Financing for Development on 27 and 28 June 2005 in New York immediately prior to the high-level segment of the 2005 substantive session of the Economic and Social Council in order for the recommendations of the High-level Dialogue to be considered in the preparatory process for the High-level Plenary Meeting and also decides to hold a separate meeting on Financing for Development within the framework of the High-level Plenary Meeting;

5. *Decides further* to change the venue of the 2005 substantive session of the Economic and Social Council from Geneva to New York on an exceptional basis and that the venue for the 2006 and 2007 substantive sessions of the Council shall be Geneva in order to resume the alternation in 2008, as established by the General Assembly;[190]

6. *Decides* to hold the general debate at its sixtieth session from Saturday, 17 September, to Friday, 23 September, and from Monday, 26 September, to Wednesday, 28 September 2005, on the understanding that these arrangements shall in no way create a precedent for the general debate at future sessions;

7. *Notes* that, prior to the High-level Plenary Meeting, the second World Conference of Speakers of Parliament will be convened from 7 to 9 September 2005 at United Nations Headquarters;[191]

8. *Requests* the President of the General Assembly, in consultation with representatives of non-governmental organizations, to organize informal interactive hearings in June 2005 in New York with representatives of non-governmental organizations, civil society organizations and the private sector, as an input to the preparatory process of the High-level Plenary Meeting;

9. *Looks forward* to the comprehensive report requested in its resolution 58/291, which the Secretary-General will submit in March 2005 and which will serve as the basis for the consultations leading to the High-level Plenary Meeting;

10. *Strongly urges* all Member States to take a positive interest in the process of formal and informal consultations leading to the High-level Plenary Meeting and to engage actively, at the highest level of government, with a view to reaching a successful outcome of the High-level Plenary Meeting;

11. *Requests* the President of the General Assembly to continue to hold consultations with all Member States in an open-ended manner, with a view to taking decisions on all process-related outstanding issues of the High-level Plenary Meeting.

RESOLUTION 59/208

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the basis of the report of the Credentials Committee (A/59/602)

59/208. Credentials of representatives to the fifty-ninth session of the General Assembly

The General Assembly,

Having considered the report of the Credentials Committee[192] and the recommendation contained therein,

Approves the report of the Credentials Committee.

RESOLUTION 59/209

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the basis of draft resolution A/59/L.47 and Add.1, sponsored by: Australia, Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Slovenia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

59/209. Smooth transition strategy for countries graduating from the list of least developed countries

The General Assembly,

Recalling its resolution 46/206 of 20 December 1991,

Recalling also Economic and Social Council resolution 2004/66 of 5 November 2004,

Reconfirming Economic and Social Council resolutions 2000/34 of 28 July 2000, 2001/43 of 24 October 2001, 2002/36 of 26 July 2002 and 2004/3 of 3 June 2004,

1. *Re-emphasizes* the need for a smooth transition for countries graduating from the list of least developed countries;

2. *Reconfirms* that graduating from the list of least developed countries should not result in a disruption of development plans, programmes and projects;

3. *Decides* that the process to ensure a smooth transition of countries graduating from the list of least developed countries shall be as follows:

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[190] See resolution 45/264.

[191] See resolution 59/19.

[192] A/59/602.

(*a*) When the Committee for Development Policy, in its triennial review of the list of least developed countries, identifies a country that meets the criteria for graduation for the first time, it will submit its findings to the Economic and Social Council;

(*b*) After a country has met the criteria for graduation for the first time, the Secretary-General of the United Nations will invite the Secretary-General of the United Nations Conference on Trade and Development to prepare a vulnerability profile[193] on the identified country, as described in paragraph 3 (*a*) above, to be taken into account by the Committee for Development Policy at its subsequent triennial review;

(*c*) At the subsequent triennial review undertaken by the Committee for Development Policy, referred to in paragraph 3 (*b*) above, the qualification for graduation of the country will be reviewed and, if reconfirmed, the Committee will submit a recommendation, in accordance with the established procedures, to the Economic and Social Council;

(*d*) The Economic and Social Council, in turn, will take action on the recommendation of the Committee for Development Policy at its first substantive session following the triennial review of the Committee and will transmit its decision to the General Assembly;

(*e*) Three years following the decision of the General Assembly to take note of the recommendation of the Committee for Development Policy to graduate a country from the list of least developed countries, graduation will become effective; during the three-year period, the country will remain on the list of least developed countries and will maintain the advantages associated with membership on that list;

4. *Invites* the graduating country, in cooperation with its bilateral and multilateral development and trading partners and with the support of the United Nations system, to prepare, during the three-year period, a transition strategy to adjust to the phasing out, over a period appropriate to the development situation of the country, of the advantages associated with its membership on the list of least developed countries, and to identify actions to be taken by the graduating country and its bilateral and multilateral development and trading partners to that end;

5. *Recommends* that the graduating country establish, in cooperation with its bilateral and multilateral development and trading partners, a consultative mechanism to facilitate the preparation of the transition strategy and the identification of the associated actions;

6. *Requests* the Administrator of the United Nations Development Programme, in his capacity as Chair of the United Nations Development Group, to assist countries graduating from the list of least developed countries by providing, if requested, the support of the United Nations Resident Coordinator and the United Nations Country Team to the consultative mechanism;

7. *Urges* all development partners to support the implementation of the transition strategy and to avoid any abrupt reductions in either official development assistance or technical assistance provided to the graduated country;

8. *Invites* development and trading partners to consider extending to the graduated country trade preferences previously made available as a result of least developed country status, or reducing them in a phased manner in order to avoid their abrupt reduction;

9. *Invites* all members of the World Trade Organization to consider extending to a graduated country, as appropriate, the existing special and differential treatment and exemptions available to least developed countries for a period appropriate to the development situation;

10. *Recommends* that the continued implementation of technical assistance programmes under the Integrated Framework for Trade-related Technical Assistance to Least Developed Countries be considered for the graduated country over a period appropriate to the development situation of the country;

11. *Invites* the Government of the graduated country to closely monitor, with the support of the consultative mechanism, the implementation of the transition strategy and to keep the Secretary-General informed on a regular basis;

12. *Requests* the Committee for Development Policy to continue to monitor the development progress of the graduated country as a complement to its triennial review of the list of least developed countries, with the assistance and support of other relevant entities, and to report thereon to the Economic and Social Council.

RESOLUTION 59/210

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the basis of draft resolution A/59/L.48 and Add.1, sponsored by: Australia, Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Slovenia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

59/210. Report of the Committee for Development Policy on its sixth session

The General Assembly,

Recalling Economic and Social Council resolution 2004/67 of 5 November 2004 on the report of the Committee for Development Policy,

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[193] See *Official Records of the Economic and Social Council, 1999, Supplement No. 13* (E/1999/33), chap. III, para. 123.

Taking into account its resolution 59/209 of 20 December 2004 on a smooth transition strategy for countries graduating from the list of least developed countries,

Takes note of the recommendation of the Committee for Development Policy that Cape Verde and Maldives be graduated from the group of least developed countries.[194]

RESOLUTION 59/211

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the basis of draft resolution A/59/L.51 and Add.1, sponsored by: Andorra, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Mali, Malta, Mexico, Monaco, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Romania, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland

59/211. Safety and security of humanitarian personnel and protection of United Nations personnel

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 on strengthening of the coordination of humanitarian emergency assistance of the United Nations,

Recalling all relevant resolutions on safety and security of humanitarian personnel and protection of United Nations personnel, including its resolution 58/122 of 17 December 2003, Economic and Social Council resolution 2004/50 of 23 July 2004 and Security Council resolution 1502 (2003) of 26 August 2003,

Taking note of all resolutions and presidential statements of the Security Council and reports of the Secretary-General to the Council on the protection of civilians in armed conflict,

Recalling all relevant provisions of international law, including international humanitarian law and human rights law, as well as all relevant treaties,[195]

Reaffirming the need to promote and ensure respect for the principles and rules of international law, including international humanitarian law,

Recalling that primary responsibility under international law for the security and protection of humanitarian personnel and United Nations and its associated personnel lies with the Government hosting a United Nations operation conducted under the Charter of the United Nations or its agreements with relevant organizations,

Urging all parties involved in armed conflicts, in compliance with international humanitarian law, in particular their obligations under the Geneva Conventions of 12 August 1949[196] and the obligations applicable to them under the Additional Protocols thereto, of 8 June 1977,[197] to ensure the security and protection of all humanitarian personnel and United Nations and its associated personnel,

Welcoming the fact that the number of States parties to the Convention on the Safety of United Nations and Associated Personnel,[198] which entered into force on 15 January 1999, has continued to rise, the number now having reached seventy-seven, and mindful of the need to promote universality of the Convention,

Deeply concerned by the dangers and security risks faced by humanitarian personnel and United Nations and its associated personnel at the field level, as they operate in increasingly complex contexts, as well as the continuous erosion, in many cases, of respect for the principles and rules of international law, in particular international humanitarian law,

Expressing profound regret at the deaths of international and national humanitarian personnel and United Nations and its associated personnel involved in the provision of humanitarian assistance, and strongly deploring the rising toll of casualties among such personnel in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations,

Strongly condemning acts of murder and other forms of violence, rape and sexual assault and all forms of violence committed in particular against women, and intimidation, armed robbery, abduction, hostage-taking, kidnapping, harassment and illegal arrest and detention to which those participating in humanitarian operations are increasingly exposed, as well as attacks on humanitarian convoys and acts of destruction and looting of property,

Commending the courage and commitment of those who take part in humanitarian operations, often at great personal risk, especially of locally recruited staff,

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[194] *Official Records of the Economic and Social Council, 2004, Supplement No. 13* (E/2004/33), chap. I, para. 1.

[195] They include, notably, the Convention on the Privileges and Immunities of the United Nations of 13 February 1946, the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947, the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994, the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and the Additional Protocols to the Geneva Conventions of 8 June 1977, and Amended Protocol II of 3 May 1996 to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 10 October 1980.

[196] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[197] Ibid., vol. 1125, Nos. 17512 and 17513.

[198] Ibid., vol. 2051, No. 35457.

Expressing concern that the occurrence of attacks and threats against humanitarian personnel and United Nations and its associated personnel is a factor that increasingly restricts the ability of the Organization to provide assistance and protection to civilians in fulfilment of its mandate under the Charter,

Recalling the inclusion of attacks intentionally directed against personnel involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter as a war crime in the Rome Statute of the International Criminal Court,[199] and noting the role that the Court could play in appropriate cases in bringing to justice those responsible for serious violations of international humanitarian law,

Reaffirming the need to ensure adequate levels of safety and security for United Nations personnel and its associated humanitarian personnel, which constitutes an underlying duty of the Organization, and mindful of the need to promote and enhance the security consciousness within the organizational culture of the United Nations and a culture of accountability at all levels,

Emphasizing the urgent need to take concrete measures to strengthen the effectiveness of the security management system for the United Nations, and in this regard mindful of the report of the Secretary-General on a strengthened and unified security management system for the United Nations,[200]

1. *Welcomes* the report of the Secretary-General on the safety and security of humanitarian personnel and protection of United Nations personnel;[201]

2. *Urges* all States to take the necessary measures to ensure the full and effective implementation of the relevant principles and rules of international law, including international humanitarian law, human rights law and refugee law related to the safety and security of humanitarian personnel and United Nations personnel;

3. *Strongly urges* all States to take the necessary measures to ensure the safety and security of humanitarian personnel and United Nations and its associated personnel and to respect and ensure respect for the inviolability of United Nations premises, which are essential to the continuation and successful implementation of United Nations operations;

4. *Calls upon* all Governments and parties in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations, in countries in which humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel in order to allow them to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons;

5. *Calls upon* all States to consider becoming parties to and to respect fully their obligations under the relevant international instruments, in particular the Convention on the Safety of United Nations and Associated Personnel;[198]

6. *Also calls upon* all States to consider becoming parties to and to respect fully their obligations under the Convention on the Privileges and Immunities of the United Nations[202] and the Convention on the Privileges and Immunities of the Specialized Agencies,[203] which have been ratified so far by one hundred and forty-eight States and one hundred and eight States, respectively;

7. *Further calls upon* all States to consider becoming parties to the Rome Statute of the International Criminal Court;[199]

8. *Takes note with appreciation* of the important progress made by the working group and the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel, and notes that the Ad Hoc Committee will reconvene from 11 to 15 April 2005 with a mandate to expand the scope of legal protection under the said Convention, including by means of a legal instrument;[204]

9. *Expresses deep concern* that, over the past decade, threats against the safety and security of humanitarian personnel and United Nations and its associated personnel have escalated dramatically and that perpetrators of acts of violence seemingly operate with impunity;

10. *Strongly condemns* all threats and acts of violence against humanitarian personnel and United Nations and its associated personnel, affirms the need to hold accountable those responsible for such acts, strongly urges all States to take stronger actions to ensure that any such acts committed on their territory are investigated fully and to ensure that the perpetrators of such acts are brought to justice in accordance with international law and national law, and notes the need for States to end impunity for such acts;

11. *Calls upon* all States to provide adequate and prompt information in the event of the arrest or detention of humanitarian personnel or United Nations and its associated personnel, to afford them the necessary medical assistance and

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[199] See *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[200] A/59/365 and Corr.1 and Add.1 and Corr.1.

[201] A/59/332.

[202] Resolution 22 A (I).

[203] Resolution 179 (II).

[204] In accordance with resolution 59/47 of 2 December 2004.

to allow independent medical teams to visit and examine the health of those detained, and urges them to take the necessary measures to ensure the speedy release of those who have been arrested or detained in violation of the relevant conventions referred to in the present resolution and applicable international humanitarian law;

12. *Calls upon* all other parties involved in armed conflicts to refrain from abducting humanitarian personnel or United Nations and its associated personnel or detaining them in violation of the relevant conventions referred to in the present resolution and applicable international humanitarian law, and speedily to release, without harm or requirement of concession, any abductee or detainee;

13. *Reaffirms* the obligation of all humanitarian personnel and United Nations and its associated personnel to observe and respect the national laws of the country in which they are operating, in accordance with international law and the Charter of the United Nations;

14. *Requests* the Secretary-General to take the necessary measures to ensure full respect for the human rights, privileges and immunities of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, and also requests the Secretary-General to seek the inclusion, in negotiations of headquarters and other mission agreements concerning United Nations and its associated personnel, of the applicable conditions contained in the Convention on the Privileges and Immunities of the United Nations, the Convention on the Privileges and Immunities of the Specialized Agencies and the Convention on the Safety of United Nations and Associated Personnel;

15. *Recommends* that the Secretary-General continue to seek the inclusion of, and that host countries include, key provisions of the Convention on the Safety of United Nations and Associated Personnel, among others, those regarding the prevention of attacks against members of the operation, the establishment of such attacks as crimes punishable by law and the prosecution or extradition of offenders, in future as well as, if necessary, in existing status-of-forces, status-of-mission and host country agreements negotiated between the United Nations and those countries, mindful of the importance of the timely conclusion of such agreements;

16. *Requests* the Secretary-General to take the necessary measures, falling within his responsibilities, to promote and enhance the security consciousness and measures within the organizational culture of the United Nations system, agencies, funds and programmes, including by disseminating and ensuring the implementation of the security procedures and regulations and by ensuring accountability at all levels;

17. *Emphasizes* the importance of paying special attention to the safety and security of United Nations and its associated personnel engaged in United Nations peacekeeping and peacebuilding operations;

18. *Also emphasizes* the need to give further consideration to the safety and security of locally recruited humanitarian personnel, who account for the majority of casualties;

19. *Requests* the Secretary-General to take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation are properly informed about and operate in conformity with the minimum operating security standards and relevant codes of conduct and are properly informed about the conditions under which they are called upon to operate and the standards that they are required to meet, including those contained in relevant national and international law, and that adequate training in security, human rights law and international humanitarian law is provided so as to enhance their security and effectiveness in accomplishing their functions, and reaffirms the necessity for all other humanitarian organizations to provide their personnel with similar support;

20. *Stresses* the importance of ensuring that humanitarian personnel and United Nations and associated personnel remain sensitive to national and local customs and traditions in their countries of assignment and communicate clearly their purpose and objectives to local populations;

21. *Also stresses* the need to ensure that all United Nations staff members receive adequate security training, including physical and psychological training, prior to their deployment to the field, the need to attach a high priority to the improvement of stress and trauma counselling services available to United Nations staff members, including through the implementation of a comprehensive security and stress and trauma management training, support and assistance programme for United Nations staff throughout the system, before, during and after missions, and the need to make available to the Secretary-General the means for that purpose;

22. *Recognizes* the need for a strengthened and unified security management system for the United Nations, both at the headquarters and the field levels, and requests the United Nations system, as well as Member States, to take all appropriate measures to that end;

23. *Takes note* of the report of the Secretary-General on a strengthened and unified security management system for the United Nations;[200]

24. *Welcomes* the ongoing efforts of the Secretary-General to further enhance the security management system of the United Nations, and in this regard invites the United Nations and other humanitarian organizations to strengthen the analysis of threats to their safety and security in order to minimize security risks and to facilitate informed decisions on the maintenance of an effective presence in the field, inter alia, to fulfil their humanitarian mandate;

25. *Requests* the Secretary-General, inter alia, through the Inter-Agency Security Management Network, to promote

increased cooperation and collaboration among United Nations agencies, funds and programmes, including between their headquarters and field offices, in the planning and implementation of measures aimed at improving staff security, training and awareness, and calls upon all relevant United Nations agencies, funds and programmes to support these efforts;

26. *Recognizes* the need for enhanced coordination and cooperation, both at the headquarters and the field levels, between the United Nations security management system and non-governmental organizations on matters relating to the safety and security of humanitarian personnel and United Nations and its associated personnel, with a view to addressing mutual security concerns in the field;

27. *Underlines* the need to allocate adequate and predictable resources to the safety and security of United Nations personnel, encourages all States to contribute to the Trust Fund for Security of Staff Members of the United Nations System and to meet requirements in the consolidated appeals, without prejudice to the outcome of the ongoing discussions in the General Assembly regarding the funding for safety and security;

28. *Recalls* the essential role of telecommunication resources in facilitating the safety of humanitarian personnel and United Nations and its associated personnel, calls upon States to consider acceding to or ratifying the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations of 18 June 1998, and encourages them to facilitate and expedite, consistent with their national laws and regulations, the use of communications equipment in such operations, inter alia, through limiting and, whenever possible, lifting the restrictions placed on the use of communications equipment by United Nations and its associated personnel;

29. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a comprehensive and updated report on the safety and security of humanitarian personnel and protection of United Nations personnel and on the implementation of the present resolution.

RESOLUTION 59/212

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the basis of draft resolution A/59/L.26/Rev.1 and Add.1, sponsored by: Andorra, Austria, Cyprus, Czech Republic, Denmark, Estonia, Finland, Greece, Hungary, Ireland, Japan, Luxembourg, Mexico, Netherlands, Norway, Poland, Portugal, Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Republic of Moldova, Romania, Russian Federation, Serbia and Montenegro, Slovakia, Slovenia, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

59/212. International cooperation on humanitarian assistance in the field of natural disasters, from relief to development

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991, the annex to which contains the guiding principles for the strengthening of the coordination of emergency humanitarian assistance of the United Nations system, as well as all its resolutions on international cooperation on humanitarian assistance in the field of natural disasters, from relief to development, and recalling the resolutions of the humanitarian segments of the substantive sessions of the Economic and Social Council,

Recognizing the importance of the principles of neutrality, humanity and impartiality for the provision of humanitarian assistance,

Emphasizing that the affected State has the primary responsibility in the initiation, organization, coordination and implementation of humanitarian assistance within its territory and in the facilitation of the work of humanitarian organizations in mitigating the consequences of natural disasters,

Emphasizing also the importance of integrating risk reduction into all phases of disaster management, development planning and post-disaster recovery,

Emphasizing further, in this context, the important role of development organizations in supporting national efforts to mitigate the consequences of natural disasters,

Emphasizing the responsibility of all States to undertake disaster preparedness, response and mitigation efforts in order to minimize the impact of natural disasters, while recognizing the importance of international cooperation in support of the efforts of affected countries which may have limited capacities to fulfil this requirement,

Welcoming the International Strategy for Disaster Reduction,

Stressing that national authorities need to enhance the resilience of populations to disasters through, inter alia, implementation of the International Strategy for Disaster Reduction so as to reduce risks to people, their livelihoods, the social and economic infrastructure and environmental resources,

Taking into account the outcome of the Second International Conference on Early Warning, held in Bonn, Germany, from 16 to 18 October 2003, under the auspices of the United Nations,

Welcoming the efforts undertaken in preparation for the World Conference on Disaster Reduction, to be held in Kobe, Japan, from 18 to 22 January 2005, and underlining the importance of this conference in the promotion of new efforts in the field of disaster risk reduction, *Noting* the critical role played by local resources, as well as by existing in-country capacities, in natural disaster response and risk management,

Recognizing the significant role played by national Red Cross and Red Crescent societies, as part of the International Red Cross and Red Crescent Movement, in disaster preparedness and risk reduction, disaster response, rehabilitation and development,

Emphasizing the importance of raising awareness among developing countries of the capacities existing at the national, regional and international levels that could be deployed to assist them,

Noting the lack of progress made in finalizing the establishment of the Directory of Advanced Technologies for Disaster Response as a new part of the Central Register of Disaster Management Capacities[205] as requested in its resolution 58/25 of 5 December 2003,

Emphasizing the importance of international cooperation in support of the efforts of the affected States in dealing with natural disasters in all their phases, including prevention, preparedness, mitigation and recovery and reconstruction, and of strengthening the response capacity of affected countries,

Recognizing that efforts to achieve economic growth, sustainable development and internationally agreed development goals, including the Millennium Development Goals, can be adversely affected by natural disasters, and noting the positive contribution that those efforts can make in strengthening the resilience of populations to such disasters,

Welcoming the efforts of Member States, with facilitation by the Office for the Coordination of Humanitarian Affairs of the Secretariat and in cooperation with the International Search and Rescue Advisory Group, to improve efficiency and effectiveness in the provision of international urban search and rescue assistance, and, in this context noting its resolution 57/150 of 16 December 2002 entitled "Strengthening the effectiveness and coordination of international urban search and rescue assistance",

Encouraging, in this regard, efforts aimed at strengthening the International Search and Rescue Advisory Group and its regional groups, particularly through the participation in their activities of representatives of a larger number of countries,

Mindful of the effects that shortfalls in resources can have on the preparedness for and response to natural disasters, and underscoring, in this regard, the need to gain a more precise understanding of the impact of levels of funding on natural disaster response,

Underlining the need for further improvement in information and analyses available regarding needs, responses and funding related to natural disasters,

1. *Takes note* of the reports of the Secretary-General entitled "International cooperation on humanitarian assistance in the field of natural disasters, from relief to development"[206] and "Strengthening the coordination of emergency humanitarian assistance of the United Nations";[207]

2. *Expresses its deep concern* at the high number and the scale of natural disasters and their increasing impact, resulting in massive losses of life and property worldwide, in particular in vulnerable societies lacking adequate capacity to mitigate effectively the long-term negative social, economic and environmental consequences of natural disasters;

3. *Calls upon* all States to adopt, where required, and to continue to implement effectively necessary legislative and other appropriate measures to mitigate the effects of natural disasters and integrate disaster risk reduction strategies into development planning, inter alia, by disaster prevention, including appropriate land-use and building regulations, as well as disaster preparedness and capacity-building in disaster response and mitigation, and requests the international community to continue to assist developing countries as well as countries with economies in transition, bearing in mind their vulnerability to natural hazards, in this regard;

4. *Stresses*, in this context, the importance of strengthening international cooperation, particularly through the effective use of multilateral mechanisms, in the provision of humanitarian assistance through all phases of a disaster, from relief and mitigation to development, including the provision of adequate resources;

5. *Also stresses* that humanitarian assistance for natural disasters should be provided in accordance with and with due respect for the guiding principles contained in the annex to resolution 46/182 and should be determined on the basis of the human dimension and needs arising out of the particular natural disasters;

6. *Recognizes* that economic growth and sustainable development contribute to improving the capacity of States to mitigate, respond to and prepare for natural disasters;

7. *Reaffirms* that disaster risk analysis and vulnerability reduction form an integral part of humanitarian assistance, poverty eradication and sustainable development strategies and need to be considered in the development plans of all vulnerable countries and communities, including, where appropriate, in plans relating to post-disaster recovery and the transition from relief to development, and affirms that within such preventive

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[205] Available from http://ocha.unog.ch/cr/.

[206] A/59/374.

[207] A/59/93-E/2004/74.

strategies, disaster preparedness and early warning systems must be further strengthened at the country and regional levels, inter alia, through better coordination among relevant United Nations bodies and cooperation with Governments of affected countries and regional and other relevant organizations with the aim of maximizing the effectiveness of natural disaster response and reducing the impact of natural disasters, particularly in developing countries;

8. *Emphasizes* the importance of the outcome of the Twenty-eighth International Conference of the Red Cross and Red Crescent, held in Geneva from 2 to 6 December 2003;

9. *Also emphasizes* the importance of enhanced international cooperation, including through the United Nations and regional organizations, to assist developing countries in their efforts to build local and national capacities and to effectively and efficiently predict, prepare for and respond to natural disasters;

10. *Stresses* the need for partnerships among Governments, organizations of the United Nations system, relevant humanitarian organizations and specialized companies to promote training to strengthen preparedness for and response to natural disasters;

11. *Calls upon* States, the United Nations and other relevant actors, as appropriate, to assist in addressing knowledge gaps in disaster management and risk reduction by identifying ways of improving systems and networks for the collection and analysis of information on disasters, vulnerability and risk to facilitate informed decision-making;

12. *Stresses* the need to promote the access to and transfer of technology and knowledge related to early warning systems and to mitigation programmes to developing countries affected by natural disasters;

13. *Encourages* the further use of space-based and ground-based remote-sensing technologies for the prevention, mitigation and management of natural disasters, where appropriate;

14. *Also encourages* in such operations the sharing of geographical data, including remotely sensed images and geographic information system and global positioning system data, among Governments, space agencies and relevant international humanitarian and development organizations, as appropriate, and notes in that context initiatives such as those undertaken by the International Charter on Space and Major Disasters and the Global Disaster Information Network;

15. *Stresses* that particular international cooperation efforts should be undertaken to enhance and broaden further the utilization of national and local capacities, including within the framework of the International Search and Rescue Advisory Group, and, where appropriate, of regional and subregional capacities of developing countries for disaster preparedness and response, which may be made available in closer proximity to the site of a disaster, more efficiently and at lower cost;

16. *Recognizes*, in this regard, that the United Nations Disaster Assessment and Coordination system continues to be a valuable tool by which disaster management expertise is made available by Member States to respond to the sudden onset of emergencies;

17. *Urges* Member States, with the support of relevant bodies of the United Nations system, to strengthen efforts to identify practical ways to channel resources to and strengthen support for national disaster management capacities in disaster-prone countries;

18. *Welcomes* the role of the Office for the Coordination of Humanitarian Affairs of the Secretariat as the focal point within the overall United Nations system for the promotion and coordination of disaster responses among United Nations humanitarian agencies and other humanitarian partners;

19. *Takes note with interest* of the initiatives taken by the Office for the Coordination of Humanitarian Affairs and the United Nations Development Programme for the establishment of regional positions of disaster response advisers and disaster reduction advisers to assist developing countries in capacity-building for disaster prevention, preparedness, mitigation and response in a coordinated and complementary manner;

20. *Encourages* further cooperation between the United Nations system and regional organizations in order to increase the capacity of these organizations to respond to natural disasters;

21. *Encourages* States that have not acceded to or ratified the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, adopted at Tampere, Finland, on 18 June 1998, to consider doing so;

22. *Reiterates its request* that the Secretary-General, in collaboration with the relevant organizations and partners, finalize the establishment of, and then update periodically, the Directory of Advanced Technologies for Disaster Response as a new part of the Central Register of Disaster Management Capacities;[205]

23. *Encourages* donors to consider the importance of ensuring that assistance in the case of higher-profile natural disasters does not come at the expense of those that may have a relatively lower profile, bearing in mind that the allocation of resources should be driven by needs, as well as the importance of making efforts to increase the level of assistance for disaster reduction and preparedness programmes and for disaster response and mitigation activities;

24. *Requests* the Secretary-General to examine ways to further improve the assessment of needs and responses and to enhance the availability of data regarding funding in response to natural disasters and to consider concrete recommendations to

improve the international response to natural disasters, as necessary, based on his examination, keeping in mind also the need to address any geographical and sectoral imbalances and shortfalls in such responses, where they exist, as well as the more effective use of national emergency response agencies, and to report thereon to the General Assembly at its sixtieth session.

RESOLUTION 59/213

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the basis of draft resolution A/59/L.54 and Add.1, sponsored by: Algeria, Angola, Austria, Belgium, Botswana, Burundi, Cameroon, Canada, Cape Verde, China, Democratic Republic of the Congo, Denmark, Djibouti, Egypt, Eritrea, Ethiopia, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Hungary, Italy, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mozambique, Namibia, Nicaragua, Niger, Nigeria, Portugal, Rwanda, Senegal, Slovakia, Slovenia, Somalia, South Africa, Sudan, Togo, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Zambia

59/213. Cooperation between the United Nations and the African Union

The General Assembly,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[208]

Recalling the provisions of Chapter VIII of the Charter of the United Nations, as well as its resolutions 55/218 of 21 December 2000, 56/48 of 7 December 2001 and 57/48 of 21 November 2002,

Recalling also the principles enshrined in the Constitutive Act of the African Union adopted at the meeting of the Heads of State and Government of the African Union, held in Lomé from 10 to 12 July 2000,[209]

Recalling further the decisions and declarations adopted by the Assembly of the African Union at its first, second and third ordinary sessions, held in Durban, South Africa, on 9 and 10 July 2002,[210] in Maputo from 10 to 12 July 2003[211] and in Addis Ababa from 6 to 8 July 2004,[212] respectively,

Welcoming the entry into force of the Protocol relating to the Establishment of the Peace and Security Council of the African Union, on 26 December 2003, and the policy framework document on the establishment of an African standby force and a military staff committee,

Welcoming also the statement by the President of the Security Council at the 5084th meeting of the Security Council, held in Nairobi on 19 November 2004, on the institutional relationship with the African Union,[213]

Welcoming further the Vision and Mission of the African Union and the proposals contained in the Strategic Plan of the Commission of the African Union, as adopted at the meeting of the Heads of State and Government of the African Union, held in Addis Ababa from 6 to 8 July 2004,

Bearing in mind the United Nations Declaration on the New Partnership for Africa's Development, contained in its resolution 57/2 of 16 September 2002, and its resolutions 57/7 of 4 November 2002 and 58/233 of 23 December 2003, and welcoming the renewed commitments by the international community to support the New Partnership[214] and other related initiatives for Africa,

Welcoming decision AU/Dec.38 (III) adopted by the third ordinary session of the Assembly of the African Union, on the implementation of the New Partnership,[212]

Bearing in mind the Declaration and the Plan of Action contained in the document entitled "A world fit for children", adopted at the special session of the General Assembly on children, held in New York from 8 to 10 May 2002[215] and the African Common Position on Children, endorsed by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-seventh ordinary session, held in Lusaka from 9 to 11 July 2001,[216]

Appreciating the continuous efforts of African countries in mainstreaming gender perspectives and the empowerment of women in decision-making organs, and in this regard welcoming the Solemn Declaration on Gender Equality in Africa, adopted at the third ordinary session of the Assembly of the African Union,[212]

Taking note of the Plan of Action on the Family in Africa launched by the African Union at its extraordinary summit meeting on the family in Africa, held in Cotonou, Benin, from 25 to 27 July 2004, as Africa's contribution to the celebration of the tenth anniversary of the International Year of the Family,

Taking note also of the Declaration on Employment and Poverty Alleviation in Africa adopted at the extraordinary summit meeting of the African Union on employment and poverty alleviation in Africa, held in Ouagadougou from 3 to 9 September 2004,

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[208] A/59/303.

[209] United Nations, *Treaty Series*, vol. 2158, No. 37733.

[210] See A/57/744, annex III.

[211] See A/58/626, annex I.

[212] See African Union, documents Assembly/AU/Dec 33-54(III) and Assembly/AU/Decl.12 & 13 (III).

[213] S/PRST/2004/44; see *Resolutions and Decisions of the Security Council, 1 August 2004–31 July 2005*.

[214] A/57/304, annex.

[215] See resolution S-27/2.

[216] See A/56/457, annex I, AHG/Dec.170 (XXXVII).

Noting the efforts to be undertaken by the African Union and its organs and regional economic communities and bodies in the area of economic integration, and the need to accelerate the process of the full establishment and consolidation of the African Union so as to achieve sustainable development,

Stressing the urgent need to address the plight of refugees and internally displaced persons in Africa, and noting in this context decision EX.CL/Dec.127 (V) on the situation of refugees, returnees and displaced persons in Africa, adopted by the Executive Council of the African Union at its fifth ordinary session, held in Addis Ababa from 30 June to 3 July 2004, and the conference convened by the African Parliamentary Union and the United Nations High Commissioner for Refugees on "Refugees in Africa: the challenges of protection and solutions", held in Cotonou from 1 to 3 June 2004,

Recognizing the importance of developing and maintaining a culture of peace, tolerance and harmonious relationships based on the promotion of economic development, democratic principles, good governance, the rule of law, human rights, social justice and international cooperation, as reflected in the Constitutive Act of the African Union and the Declaration on Democracy, Political, Economic and Corporate Governance of the New Partnership for Africa's Development,

Stressing the need for extending the scope of cooperation between the United Nations and the African Union in the area of combating illegal exploitation of natural resources,

Emphasizing the importance of the effective, coordinated and integrated implementation of the United Nations Millennium Declaration,[217] the Doha Development Agenda,[218] the Monterrey Consensus of the International Conference on Financing for Development[219] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[220]

Welcoming the adoption of the Protocol establishing the African Court on Human and Peoples' Rights to complement the African Commission on Human and Peoples' Rights,

Acknowledging the entry into force of the 1999 Algiers Convention on the Prevention and Combating of Terrorism, and noting the centrality of international partnership and cooperation between the African Union, the relevant United Nations organs and the wider international community in the global fight against terrorism,

Taking note of the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases,[221] and the Framework for Action thereon, and the Maputo Declaration on Malaria, HIV/AIDS, Tuberculosis and Other Related Infectious Diseases,[222]

Acknowledging the contribution of the United Nations Liaison Office in strengthening coordination and cooperation between the African Union and the United Nations, as well as the need to consolidate it so as to enhance its performance,

Convinced that strengthening cooperation between the United Nations and the African Union and its organs will contribute to the advancement of the principles of the Constitutive Act of the African Union and to the development of Africa,

1. *Takes note with appreciation* of the report of the Secretary-General;[208]

2. *Welcomes* the cooperation between the African Union and the United Nations and, in this respect, the continuing participation in and constructive contribution of the African Union and its specialized agencies to the work of the United Nations, and calls upon the two organizations to enhance the involvement of the African Union in all United Nations activities concerning Africa;

3. *Stresses* the need for closer cooperation and coordination between the African Union and the United Nations, and urges the United Nations system to continue to support the African Union on an ongoing basis in accordance with the Cooperation Agreement between the two organizations as well as other memorandums of understanding;

4. *Calls upon* the Secretary-General to involve the African Union and its organs closely in the implementation of the commitments contained in the United Nations Millennium Declaration,[217] especially those that relate to addressing the special needs of Africa;

5. *Invites* the Secretary-General to request all relevant United Nations agencies to intensify their cooperation with the African Union in the establishment of its organs, including through the implementation of the protocols to the Constitutive Act of the African Union[209] and the Treaty establishing the African Economic Community,[223] and to assist in the effective harmonization of the programmes of the African Union with those of the regional economic communities;

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[217] See resolution 55/2.

[218] See A/C.2/56/7, annex.

[219] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[220] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[221] Organization of African Unity, document OAU/SPS/ABUJA/3.

[222] A/58/626, annex I, Assembly/AU/Decl.6 (II).

[223] A/46/651, annex.

6. *Requests* the agencies of the United Nations system working in Africa to include in their programmes at the national, subregional and regional levels, activities to support African countries in their efforts to enhance regional economic cooperation and integration;

7. *Invites* the Secretary-General to request the United Nations system to enhance its support to the African Union in the implementation of its Vision and Mission and the Strategic Plan of the Commission of the African Union, particularly in the following areas:

(*a*) Setting up of support structures and management;

(*b*) Adaptation of structure to strategy and strengthening of skills in institutional consolidation;

(*c*) Modernization of information and communication technology and advancement of indigenous technology;

(*d*) Building of internal capacity to mainstream gender;

(*e*) Promotion of free and democratic elections;

(*f*) Disaster management;

(*g*) Integrated health system in Africa;

(*h*) Elaboration of an African social policy model: children first;

(*i*) Support for the African Committee of Experts on the Rights and Welfare of the Child;

(*j*) Global advocacy for the African Union vision, to consolidate integration and promote sustainable development in Africa;

8. *Requests* the United Nations system, while acknowledging its primary role in the promotion and maintenance of international peace and security, to intensify its assistance to the African Union, as appropriate, in strengthening the institutional and operational capacity of its Peace and Security Council, in particular in the following areas:

(*a*) Development of its early warning system, including the Situation Room of the Peace and Security Directorate;

(*b*) Training of civilian and military personnel, including a staff exchange programme;

(*c*) Regular and continued exchange and coordination of information, including between the early warning systems of the two organizations;

(*d*) Peace support missions of the African Union in its various member States, in particular in the area of communication and other related logistical support;

(*e*) Capacity-building for peacebuilding before and after the termination of hostilities on the continent;

(*f*) Support for the Peace and Security Council in taking humanitarian action on the continent in accordance with the Protocol relating to the Establishment of the Peace and Security Council;

(*g*) Establishment of the African standby force and the military staff committee;

9. *Invites* the Secretary-General to explore, in close consultation with the Chairperson of the Commission of the African Union, new means of cooperation between the United Nations and the African Union, especially taking into consideration the expanded mandate and the new organs of the African Union;

10. *Urges* the United Nations to encourage donor countries, in consultation with the African Union, to contribute to adequate funding, training and logistical support for African countries in their efforts to enhance their peacekeeping capabilities, with a view to enabling those countries to participate actively in peacekeeping operations within the framework of the Protocol relating to the Establishment of the Peace and Security Council and the framework of the United Nations;

11. *Stresses* the urgent need for the United Nations and the African Union to develop close cooperation and concrete programmes aimed at addressing the problems posed by the proliferation of small arms and light weapons and anti-personnel mines, within the framework of the relevant declarations and resolutions adopted by the two organizations;

12. *Calls upon* the United Nations system and the international community to continue to support the New Partnership for Africa's Development[214] and its Peer Review Mechanism as African-owned and led initiatives and programmes of the African Union;

13. *Calls upon* the United Nations system, the African Union and the international community to intensify their cooperation in the global fight against terrorism through the implementation of the relevant international and regional treaties and protocols and, in particular, the African Plan of Action adopted in Algiers on 14 September 2002, as well as their support for the operation of the African Centre for Studies and Research on Terrorism, inaugurated in Algiers in October 2004;

14. *Calls upon* the United Nations system to intensify its efforts, in collaboration with the African Union, in combating illegal exploitation of natural resources, particularly in conflict areas, in accordance with relevant resolutions and decisions of the United Nations and the African Union;

15. *Encourages* the United Nations system to effectively support the efforts of the African Union in urging the international community to duly implement the Doha Development Agenda,[218] including negotiations aimed at substantial improvements in market access to promote sustainable growth in Africa;

16. *Invites* the United Nations system to enhance its support to African countries in their efforts to implement the Johannesburg Plan of Implementation;[220]

17. *Encourages* the United Nations to take special measures to address the challenges of poverty eradication through debt cancellation, enhanced official development assistance, increases in flows of foreign direct investments as well as transfers of technology;

18. *Calls upon* the United Nations system to accelerate the implementation of the Plan of Action contained in the document entitled "A world fit for children", adopted at the special session of the General Assembly on children,[215] and to provide assistance, as appropriate, to the African Union and its member States in this regard;

19. *Calls upon* the United Nations system and the African Union to develop a coherent and effective strategy, including through joint programmes and activities, for the promotion and protection of human rights in Africa, within the framework of the implementation of regional and international treaties, resolutions and plans of action adopted by the two organizations;

20. *Urges* the United Nations system to increase its support for Africa in the implementation of the declaration of the extraordinary summit meeting of the Assembly of Heads of State and Government of the Organization of African Unity on HIV/AIDS, tuberculosis and other related infectious diseases,[221] and the Declaration of Commitment on HIV/AIDS,[224] so as to arrest the spread of these diseases, inter alia, through sound capacity-building in human resources;

21. *Invites* the United Nations system and the international community to provide adequate support to the African Commission on Human and Peoples' Rights, aimed at finalizing the process leading to the establishment of the African Court on Human and Peoples' Rights;

22. *Urges* the United Nations system speedily to implement resolution 58/149 of 22 December 2003 on assistance to refugees, returnees and displaced persons in Africa, and effectively to support African countries in their effort to incorporate the problems of refugees into national and regional development plans;

23. *Urges* the Secretary-General to encourage the United Nations system to work towards ensuring the effective and equitable representation of African men and women at senior and policy levels at the respective headquarters of its organizations and in their regional fields of operation;

24. *Requests* the United Nations system to cooperate with the African Union and its member States in the implementation of appropriate policies for the promotion of the culture of democracy, good governance, respect for human rights and the rule of law, and the strengthening of democratic institutions which will enhance the popular participation of the peoples of the continent in these issues, in accordance with the purposes and principles of the Constitutive Act of the African Union and the New Partnership for Africa's Development;

25. *Calls upon* the United Nations system and invites the Bretton Woods institutions to support, within their respective mandates, and where necessary and possible, the establishment of the institutional structures of the African Union, including the Pan-African Parliament, the Court of Justice, the Economic, Social and Cultural Council and the Financial Institutions;

26. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the implementation of the present resolution.

RESOLUTION 59/254

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the basis of draft resolution A/59/L.33/Rev.1 and Add.1, sponsored by: Austria, Belgium, Canada, Denmark, Dominica, France, Germany, Ireland, Italy, Japan, Lithuania, Luxembourg, Mauritius, Netherlands, Portugal, Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Slovenia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

59/254. New Partnership for Africa's Development: progress in implementation and international support

The General Assembly,

Recalling its resolution 57/2 of 16 September 2002 on the United Nations Declaration on the New Partnership for Africa's Development,

Recalling also its resolution 57/7 of 4 November 2002 on the final review and appraisal of the United Nations New Agenda for the Development of Africa in the 1990s and support for the New Partnership for Africa's Development and resolution 58/233 of 23 December 2003 entitled "New Partnership for Africa's Development: progress in implementation and international support",

Bearing in mind that African countries have primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized, also the need for their development efforts to be supported by an enabling international economic environment, and in this regard recalling the support given by the International Conference on Financing for Development to the New Partnership,[225]

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[224] Resolution S-26/2, annex.

[225] See *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

Having considered the report of the Secretary-General entitled "New Partnership for Africa's Development: second consolidated report on progress in implementation and international support",[226]

1. *Takes note* of the report of the Secretary-General;[226]

2. *Reaffirms its full support* for the implementation of the New Partnership for Africa's Development;[227]

3. *Also reaffirms its full support* for the implementation of the Declaration of Commitment on HIV/AIDS, adopted at the twenty-sixth special session of the General Assembly on 27 June 2001;[228]

4. *Recognizes* the progress made in the implementation of the New Partnership as well as regional and international support for the New Partnership, while acknowledging that much needs to be done in the implementation of the New Partnership;

5. *Welcomes* the establishment of a Peace and Security Council within the African Union, stresses that conflict prevention, management and resolution and post-conflict consolidation are essential for the achievement of the objectives of the New Partnership, and welcomes, in this regard, the cooperation and support granted by the United Nations and development partners to the African regional and subregional organizations in the implementation of the New Partnership;

I

Actions by African countries and organizations

6. *Welcomes* the progress made by the African countries in fulfilling their commitments in the implementation of the New Partnership to deepen democracy, human rights, good governance and sound economic management, and encourages African countries, with the participation of stakeholders, including civil society and the private sector, to continue their efforts in this regard by developing and strengthening institutions for governance and the development of the region;

7. *Also welcomes* the progress that has been achieved in implementing the African Peer Review Mechanism, including through the establishment of a trust fund to support the activities of the Mechanism, to which participating countries will make financial contributions, and the launching of support missions to several African countries;

8. *Further welcomes* the efforts made by African countries in developing sectoral policy frameworks and implementing specific programmes of the New Partnership, including by establishing expenditure targets in sectoral priority areas of the New Partnership, and encourages them to continue to integrate the priorities of the New Partnership into their national development plans and frameworks, including poverty reduction strategies, where they exist;

9. *Emphasizes* the importance for African countries of continuing to coordinate, on the basis of national strategies and priorities, all types of external assistance, including that provided by multilateral organizations, in order to integrate effectively such assistance into their development processes;

10. *Welcomes* the commitment of African countries to advance the implementation of the New Partnership, acknowledges, in this regard, the role of the Heads of State and Government Implementation Committee of the New Partnership in furthering the implementation of the New Partnership, and welcomes the New Partnership summits held so far, as well as the upcoming summits;

11. *Also welcomes* the approval by the Heads of State and Government Implementation Committee of the New Partnership of priority infrastructural and capacity-building projects to be implemented by the regional economic communities;

12. *Encourages* the further integration of the priorities and objectives of the New Partnership into the programmes of the regional structures and organizations, as well as programmes for the African least developed countries;

13. *Appreciates* the increasing efforts of African countries in mainstreaming a gender perspective and empowerment of women in the implementation of the New Partnership, and in this regard welcomes the Solemn Declaration on Gender Equality in Africa, adopted by the African Union at its third ordinary session in Addis Ababa from 6 to 8 July 2004,[229] and encourages the African countries to track progress in the full integration of women into African social, political and economic life;

14. *Emphasizes* that progress in the implementation of the New Partnership depends also on a favourable national and international environment for Africa's growth and development, including, inter alia, measures to promote a policy environment conducive to private sector development and entrepreneurship;

II

Response of the international community

15. *Welcomes* the efforts by development partners to strengthen cooperation with the New Partnership;

16. *Acknowledges* the importance of various initiatives, such as the Tokyo International Conference on African

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[226] A/59/206.

[227] A/57/304, annex.

[228] Resolution S-26/2, annex.

[229] See African Union, document Assembly/AU/Decl.12 & 13 (III).

Development process, the Africa Action Plan of the Group of Eight, initiated at Genoa, Italy, as developed at the Summit of the Group held in Kananaskis, Canada, in 2002, and furthered at their subsequent Summits held in Evian, France, in 2003, and at Sea Island, United States of America, in 2004, as well as the Africa Partnership Forum in support of the implementation of the New Partnership, emphasizes, in this regard, the importance of effective coordination of such initiatives for Africa, and looks forward to the forthcoming report of the Commission for Africa;

17. *Welcomes* the contribution made by Member States to the implementation of the New Partnership in the context of South-South cooperation;

18. *Stresses* the need to mobilize additional resources for Africa's development through promoting South-South cooperation and trade and investment as discussed at various forums, including the Asia-Africa Trade and Investment Conference, held in Tokyo on 1 and 2 November 2004, under the auspices of the Tokyo International Conference on African Development;

19. *Welcomes* the financial support extended by many of the development partners to the various programmes of the New Partnership, and in this regard notes with satisfaction that some developed countries have committed resources for the infrastructure project preparation facility of the New Partnership and have provided resources for institutional strengthening activities at the secretariat of the New Partnership and in some regional economic communities;

20. *Recalls* that regional economic communities have a critical role to play in the implementation of the New Partnership, and encourages development partners to increase their support to enhance the capacities of these communities;

21. *Urges* continued attention to the need to continue to take measures to address the challenges of poverty eradication and sustainable development in Africa, including, as appropriate, debt relief, improved market access, support for the private sector and entrepreneurship, enhanced official development assistance and increased flows of foreign direct investment, as well as transfer of technology;

22. *Reiterates* the need for the international community, relevant multilateral institutions and developed countries to enhance coherence in their trade, investment, aid and debt policies towards African countries;

23. *Stresses* the need to find comprehensive solutions for the debt problems of African countries, and in this regard welcomes the decision to extend the sunset clause of the Heavily Indebted Poor Countries Initiative until 31 December 2006 and the ongoing work by the International Monetary Fund and the World Bank to develop a forward-looking debt sustainability framework for heavily indebted poor countries and low-income countries;

24. *Welcomes* the recent increase in official development assistance by many of the development partners, and urges all development partners to make continued efforts to increase the flow of all resources, public and private, to support the development of African countries and to improve the effectiveness of aid;

25. *Also welcomes* efforts by development partners to align their financial and technical support to Africa more closely to the priorities of the New Partnership, as reflected in national poverty reduction strategies or in similar strategies, and encourages development partners to increase their efforts in this regard;

26. *Acknowledges* the activities of the Bretton Woods institutions and the African Development Bank in African countries, and invites those institutions to continue their support for the implementation of the priorities and objectives of the New Partnership;

27. *Requests* the United Nations system to continue to provide assistance to the secretariat of the New Partnership and to African countries in developing projects and programmes within the scope of the priorities of the New Partnership;

28. *Notes* that the entities of the United Nations system have been actively using the regional consultation mechanism as a vehicle for fostering collaboration and coordination at the regional level, and encourages them to intensify their efforts in developing and implementing joint programmes in support of the New Partnership at the regional level;

29. *Encourages* the United Nations funds, programmes and specialized agencies to continue to strengthen further their existing coordination and programming mechanisms, as well as the simplification and harmonization of planning, disbursement and reporting procedures, as a means of enhancing support for African countries in the implementation of the New Partnership;

30. *Notes* the growing collaboration among the entities of the United Nations system in support of the New Partnership, and requests the Secretary-General to promote greater coherence in the work of the United Nations system in support of the New Partnership, on the basis of the agreed clusters;

31. *Invites* the High-level Plenary Meeting, which is to be held at the commencement of the sixtieth session of the General Assembly, in accordance with the modalities set by the Assembly at its fifty-ninth session, to address the special needs of African countries;

32. *Urges* the Commission for Social Development and the Commission on the Status of Women to give prominence to the New Partnership in future priority themes;

33. *Welcomes* the establishment of the Secretary-General's Advisory Panel on International Support for the New Partnership for Africa's Development, and looks forward to its

recommendations on the actions to be taken to enhance support for the implementation of the New Partnership;

34. *Requests* the Secretary-General to continue to take measures to strengthen the Office of the Special Adviser on Africa in order to enable it to effectively fulfil its mandate;

35. *Also requests* the Secretary-General to submit a comprehensive report on the implementation of the present resolution to the General Assembly at its sixtieth session on the basis of inputs from Governments, organizations of the United Nations system and other stakeholders in the New Partnership, such as the private sector and civil society.

RESOLUTION 59/255

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the basis of draft resolution A/59/L.50/Rev.1 and Add.1, sponsored by: Germany, Ireland, Italy, Netherlands, Portugal, Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Slovenia, Turkey

59/255. Implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa

The General Assembly,

Recalling the report of the Open-ended Ad Hoc Working Group on the Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa,[230] and its resolutions 53/92 of 7 December 1998, 54/234 of 22 December 1999, 55/217 of 21 December 2000, 56/37 of 4 December 2001, 57/296 of 20 December 2002, 57/337 of 3 July 2003 and 58/235 of 23 December 2003, as well as resolution 59/213 of 20 December 2004 on cooperation between the United Nations and the African Union,

Recalling also, in this context, Security Council resolutions 1325 (2000) of 31 October 2000 on women and peace and security, and 1366 (2001) of 30 August 2001 on the role of the Council in the prevention of armed conflicts,

Recalling further the creation by the Economic and Social Council, by its resolution 2002/1 of 15 July 2002, of ad hoc advisory groups on African countries emerging from conflict,

Reaffirming that the implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa[231] must remain a priority on the agenda of the United Nations system and for Member States,

Noting with concern the slow progress in the implementation of many of the recommendations contained in the report of the Secretary-General, as well as the emergence of trends that could potentially affect the peace and stability of Africa,

Stressing that the responsibility for peace and security in Africa, including the capacity to address the root causes of conflict and to resolve conflicts in a peaceful manner, lies primarily with African countries, while recognizing the need for support from the international community,

Reaffirming the need to strengthen the synergies between Africa's economic and social development programmes and its peace and security agenda,

1. *Takes note* of the progress report of the Secretary-General[232] on the implementation of the recommendations contained in his report on the causes of conflict and promotion of durable peace and sustainable development in Africa,[231] including an overview of trends and challenges as well as further advances in a wide range of areas made since the last progress report;

2. *Welcomes* the progress that has been made in the prevention and settlement of disputes and the sustained efforts by African regional and subregional initiatives to mediate and resolve conflicts, and the support given by the international community and the United Nations to those efforts;

3. *Notes with appreciation* the efforts to enhance coordination to ensure that African regional and subregional initiatives continue to be taken in close consultation and coordination with the United Nations in order to ensure that the United Nations can play a clear role, as appropriate, in the subsequent implementation of mediated settlements;

4. *Welcomes* the successful establishment of the Peace and Security Council of the African Union, and looks forward to the establishment of other supporting elements such as a Panel of the Wise, a continental early warning system, an African standby force and a special fund;

5. *Encourages*, in this context, the international community to continue to support the ongoing efforts of African countries to develop their capacity to undertake peace support operations at regional and subregional levels, including their effort to establish a continental early warning system;

6. *Welcomes* the establishment and coming into force of the African Peace Facility of the European Union to support the implementation of peace initiatives undertaken by the African Union and African subregional organizations;

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[230] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 45* (A/56/45).

[231] A/52/871-S/1998/318.

[232] A/59/285.

7. *Also welcomes* the recommendation of the Secretary-General to Member States to strengthen cooperation between the United Nations system, the African Union and other African organizations in the maintenance of international peace and security;

8. *Further welcomes* the decision of the Secretary-General to instruct relevant agencies, departments and offices of the United Nations to look into new ways of collaborating with the African Union in order to boost its efforts in undertaking peace operations;

9. *Recognizes* the contribution made by the ad hoc advisory groups on African countries emerging from conflict of the Economic and Social Council, as well as by the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa of the Security Council, in promoting peace and sustainable development, and emphasizes the need for continued collaboration between the Economic and Social Council and the Security Council in generating a coherent approach to the challenges of conflict prevention, conflict resolution and post-conflict reconstruction in Africa;

10. *Notes* the support offered by the United Nations system in the context of conflict prevention and peace consolidation, and in this regard calls upon Member States, in particular donor countries, as well as other development partners and relevant regional and subregional organizations as appropriate, to continue to provide financial and technical assistance, in a coordinated and sustained manner, to support activities in Africa, inter alia, to eradicate poverty, promote respect for human rights and strengthen the rule of law and transparent and accountable public administration;

11. *Requests* the Secretary-General to explore and recommend suitable arrangements and mechanisms through which Member States could more effectively support Africa's efforts to address the multiple causes of conflict in Africa, including their regional dimensions, and to strengthen, in a coordinated and sustained manner, preventive action as well as post-conflict peacebuilding;

12. *Decides* to continue to monitor the implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa;

13. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a progress report on the implementation of the present resolution.

RESOLUTION 59/256

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the basis of draft resolution A/59/L.56 and Add.1, sponsored by: Burundi, Cameroon, Dominica, Madagascar, Mali, Nigeria, South Africa, Sudan, Togo, United Republic of Tanzania, Zambia

59/256. 2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa

The General Assembly,

Recalling its resolutions 49/135 of 19 December 1994, 50/128 of 20 December 1995, 55/284 of 7 September 2001, 57/294 of 20 December 2002 and 58/237 of 23 December 2003 concerning the struggle against malaria in developing countries, particularly in Africa,

Bearing in mind the relevant resolutions of the Economic and Social Council relating to the struggle against malaria and diarrhoeal diseases, in particular resolution 1998/36 of 30 July 1998,

Taking note of the declarations and decisions on health issues adopted by the Organization of African Unity, in particular the declaration and plan of action on the "Roll Back Malaria" initiative adopted at the Extraordinary Summit of Heads of State and Government of the Organization of African Unity, held in Abuja on 24 and 25 April 2000,[233] as well as decision AHG/Dec.155 (XXXVI) concerning the implementation of that declaration and plan of action, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-sixth ordinary session, held in Lomé from 10 to 12 July 2000,[234]

Also taking note of the Maputo Declaration on Malaria, HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, adopted by the Assembly of the African Union at its second ordinary session, held in Maputo from 10 to 12 July 2003,[235]

Recognizing the linkages in efforts being made to reach the targets set at the Abuja Summit as necessary and important for the attainment of the "Roll Back Malaria" goal and the targets of the United Nations Millennium Declaration[236] by 2010 and 2015, respectively,

Also recognizing the urgent need for scaling up national malaria control programmes if African countries are to meet the intermediate target set by the Abuja Summit for the five-year period 2000–2005,

Further recognizing that malaria-related ill health and deaths throughout the world can be eliminated with political commitment and commensurate resources if the public is educated and sensitized about malaria and appropriate health services are made available, particularly in countries where the disease is endemic,

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[233] See A/55/240/Add.1.

[234] See A/55/286, annex II.

[235] A/58/626, annex I, Assembly/AU/Decl.6 (II).

[236] See resolution 55/2.

Emphasizing the importance of implementing the Millennium Declaration, and welcoming in this connection the commitment of Member States to respond to the specific needs of Africa,

Commending the efforts of the World Health Organization, the United Nations Children's Fund and other partners to fight malaria over the years, including the launching of the Roll Back Malaria Partnership in 1998,

1. *Takes note* of the note by the Secretary-General transmitting the report of the World Health Organization,[237] and calls for support for the recommendations contained therein;

2. *Calls upon* the international community to continue to support the "Roll Back Malaria" partner organizations, including the World Health Organization and the United Nations Children's Fund, as vital complementary sources of support for the efforts of malaria-endemic countries to combat the disease;

3. *Appeals* to the international community to ensure increased support for bilateral and multilateral assistance to combat malaria, including support for the Global Fund to Fight AIDS, Tuberculosis and Malaria, in order to assist in the development of sound national plans to control malaria in malaria-endemic countries and their implementation in a sustained and equitable way that, inter alia, contributes to health system development;

4. *Urges* malaria-endemic countries to increase domestic resource allocation to malaria control;

5. *Encourages* all African countries that have not yet done so to implement the recommendations of the Abuja Summit[233] to reduce or waive taxes and tariffs for nets and other products needed for malaria control, both to reduce the price of nets to consumers and to stimulate free trade in insecticide-treated nets;

6. *Calls upon* malaria-endemic countries, in particular those in sub-Saharan Africa, to establish and strengthen policies and programmes to ensure a rapid scale-up in the coverage of insecticide-treated nets to at least 60 per cent of those at risk, wherever the use of such nets is the vector-control method of choice, by applying expeditious approaches, including targeted free or highly subsidized distribution to vulnerable groups;

7. *Expresses its concern* about the increase in resistant strains of malaria in several regions of the world;

8. *Encourages* all Member States experiencing resistance to conventional monotherapies to replace them with combination therapies, as recommended by the World Health Organization, in a timely manner;

9. *Recognizes* the importance of the development of effective vaccines and new medicines to prevent and treat malaria and the need for further and accelerated research, including through effective global partnerships such as the various malaria vaccine initiatives and the Medicines for Malaria Venture, where necessary stimulated by new incentives to secure their development;

10. *Reiterates* the need for expanded public-private partnerships for malaria control and prevention, and in this context urges petroleum companies operating in Africa to consider providing polymer for the manufacture of mosquito nets at reduced prices as a contribution to rolling back malaria in Africa;

11. *Calls upon* the international community to support investment in the development of new anti-malarial medicines and insecticides for the effective control of malaria in view of the challenging resistance of the parasite to anti-malarial medicines and the resistance of mosquitoes to insecticides;

12. *Also calls upon* the international community to support ways to expand access to artemisinin-based combination therapy for populations at risk of exposure to resistant strains of falciparum malaria in Africa, including the commitment of new funds, innovative mechanisms for the financing and national procurement of artemisinin-based combination therapy and the scaling up of artemisinin production to meet the increased need;

13. *Further calls upon* the international community to support coordinated efforts to improve surveillance, monitoring and evaluation systems so as to better track and report changes in the coverage of recommended "Roll Back Malaria" interventions and subsequent reductions in the burden of malaria;

14. *Requests* the Secretary-General, in close collaboration with the World Health Organization, the United Nations Children's Fund, developing countries and regional organizations, including the African Union, to conduct in 2005 an evaluation of the measures taken and progress made towards the achievement of the mid-term targets, the means of implementation provided by the international community in this regard and the overall goals of the Decade, and to report thereon to the General Assembly at its sixtieth session;

15. *Also requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution under the agenda item entitled "2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa".

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[237] See A/59/261.

RESOLUTION 59/257

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the basis of draft resolution A/59/L.41/Rev.1 and Add.1, sponsored by: Argentina, Bahamas, Belize, Bolivia, Canada, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Israel, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Spain, Suriname, Thailand, Trinidad and Tobago, Uruguay

59/257. Cooperation between the United Nations and the Organization of American States

The General Assembly,

Recalling that the purposes of the United Nations are, inter alia, to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms, and to be a centre for harmonizing the actions of nations in the attainment of these common ends,

Recalling also that the Charter of the Organization of American States reaffirms these purposes and principles and provides that that organization is a regional agency under the terms of the Charter of the United Nations,

Recalling further that both organizations seek, inter alia, to promote social advancement, improve the standards of living of peoples, particularly in developing countries, and promote the protection of all human rights and fundamental freedoms,

Recalling its resolution 57/157 of 16 December 2002 on promoting cooperation between the United Nations and the Organization of American States,

Aware that the United Nations and the Organization of American States signed a memorandum of understanding on 3 November 2004 concerning the provision of assistance for the planning, organization and monitoring of the elections in Haiti,

Recalling that one of the common goals of the two organizations is to combat corruption and impunity, and noting that the Inter-American Convention against Corruption[238] is a pioneering international instrument in that field,

Recalling also the fifth high-level meeting between the Secretary-General and heads of regional organizations, held in New York on 29 and 30 July 2003 to review the new threats to international peace and security, including international terrorism, civil and international conflicts, the proliferation of weapons of mass destruction, poverty, organized crime and violations of human rights, which demonstrated the need for greater synergy in the efforts made by the two organizations,

Noting that during the Special Conference on Security, held in Mexico City on 27 and 28 October 2003, the States members of the Organization of American States defined a new concept of security that is multidimensional in scope and includes traditional and new threats, concerns and challenges to their security,

Mindful of the meeting held in March 2004 between the secretariats of the Organization of American States and the United Nations, which reviewed the progress made in promoting transparency in the area of conventional weapons, and reviewed their cooperation with a view to curbing the illicit traffic in weapons,

Aware of the increased cooperation between bodies of the inter-American system for the protection of human rights and the United Nations Commission on Human Rights,

Noting with grave concern the continuing spread of the HIV/AIDS pandemic in the region, which requires coordinated action at the national, regional and global levels,

1. *Takes note with satisfaction* of the report of the Secretary-General on cooperation between the United Nations and the Organization of American States[239] and his continuing efforts to strengthen that cooperation;

2. *Notes with satisfaction* the cooperation between the Organization of American States and the United Nations Stabilization Mission in Haiti as well as other bodies and programmes of the system providing assistance and support for the recovery and stability of Haiti, and calls upon them to continue to support the planning, organization and monitoring of elections in 2005 in that country;

3. *Calls for* a prompt mobilization of resources to meet the emergency needs of the Caribbean countries, especially Haiti and Grenada, in the wake of the serious floods and hurricanes that affected that region;

4. *Expresses its appreciation* to the Economic Commission for Latin America and the Caribbean for the initiatives to strengthen cooperation with inter-American institutions in various fields, in particular, hemispheric integration, statistics, women and development;

5. *Recognizes* the work of the Organization of American States in promoting democracy, in the field of regional cooperation and in connection with its task of coordination with the United Nations;

6. *Also recognizes* the close cooperation between the United Nations and the Organization of American States in promoting the necessary transparency in all matters concerning the registration of conventional weapons, and calls upon them to continue intraregional dialogue and coordination with a view to curbing the illicit traffic in weapons;

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[238] See E/1996/99.

[239] See A/59/303.

7. *Calls upon* the Organization of American States to actively participate in the International Meeting to Review the Implementation of the Barbados Programme of Action for the Sustainable Development of Small Island Developing States, to be held in Port Louis from 10 to 14 January 2005;

8. *Invites* the Organization of American States to participate actively in the World Conference on Disaster Reduction, to be held in Kobe, Japan, from 18 to 22 January 2005;

9. *Calls for* an increase in financial resources and the strengthening of national and regional programmes for combating HIV/AIDS, as well as an increase in the supply of safe, effective and essential medicines at a reasonable cost;

10. *Calls upon* the United Nations and the Organization of American States to continue to develop their mutual cooperation in accordance with their respective mandates, jurisdiction and composition and to adapt to each specific situation in accordance with the Charter of the United Nations;

11. *Notes with satisfaction* the holding of periodic meetings between representatives of the United Nations and the Organization of American States, as well as the exchange of information taking place between the two organizations, and recommends that these practices be maintained;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution, as appropriate;

13. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Organization of American States".

RESOLUTION 59/258

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the basis of draft resolution A/59/L.55, as orally revised, sponsored by Panama (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States)

59/258. Cooperation between the United Nations and the Latin American Economic System

The General Assembly,

Recalling its resolution 57/39 of 21 November 2002 on cooperation between the United Nations and the Latin American Economic System,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[240]

Bearing in mind the Agreement between the United Nations and the Latin American Economic System,[241] in which the parties agree to strengthen and expand their cooperation in matters that are of common concern in the fields of their respective competence pursuant to their constitutional instruments,

Noting that cooperation between the Latin American Economic System and the United Nations has been evolving, strengthening and diversifying over the years with regard to its areas of cooperation,

Welcoming the changes in the treatment of topics relating to the United Nations system, in close contact with the delegations of the Member States participating in such deliberations,

1. *Takes note* of the holding of the thirtieth regular meeting of the Latin American Council of the Latin American Economic System from 22 to 24 November 2004;

2. *Takes note with satisfaction* of the report of the Secretary-General;[240]

3. *Urges* the Economic Commission for Latin America and the Caribbean to continue deepening its coordination and mutual support activities with the Latin American Economic System;

4. *Urges* the specialized agencies and other organizations, funds and programmes of the United Nations system to continue and intensify their support for and to strengthen their cooperation with activities of the Latin American Economic System and to contribute to joint actions to achieve the internationally agreed development objectives, including those contained in the United Nations Millennium Declaration,[242] in Latin America and the Caribbean;

5. *Reiterates its request* to the Secretary-General of the United Nations and the Permanent Secretary of the Latin American Economic System to assess, at the appropriate time, the implementation of the Agreement between the United Nations and the Latin American Economic System[241] and to report thereon to the General Assembly at its sixty-first session;

6. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution.

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[240] Ibid.

[241] United Nations, *Treaty Series*, vol. 1651, No. 1061.

[242] See resolution 55/2.

RESOLUTION 59/259

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the basis of draft resolution A/59/L.57 and Add.1, sponsored by: Albania, Armenia, Austria, Azerbaijan, Belarus, Bulgaria, Georgia, Germany, Greece, Italy, Kyrgyzstan, Republic of Moldova, Romania, Russian Federation, Serbia and Montenegro, Slovakia, Tunisia, Turkey, Ukraine

59/259. Cooperation between the United Nations and the Black Sea Economic Cooperation Organization

The General Assembly,

Recalling its resolution 54/5 of 8 October 1999, by which it granted observer status to the Black Sea Economic Cooperation Organization, as well as its resolutions 55/211 of 20 December 2000 and 57/34 of 21 November 2002, on cooperation between the United Nations and the Black Sea Economic Cooperation Organization,

Recalling also that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social or humanitarian nature,

Recalling further the Articles of the Charter of the United Nations that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Recalling its Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security of 9 December 1994,[243]

Pointing out the fact that since its transformation into a regional economic organization with an international legal identity as from 1 May 1999, the Black Sea Economic Cooperation Organization has established itself as a reliable partner in boosting economic cooperation in the Black Sea region,

Recognizing that any dispute or conflict in the region impedes cooperation, and stressing the need to solve such a dispute or conflict on the basis of the norms and principles of international law,

Convinced that the strengthening of cooperation between the United Nations and other organizations contributes to the promotion of the purposes and principles of the United Nations,

Recalling the report of the Secretary-General submitted pursuant to resolution 57/34,[244]

1. *Welcomes* the statement issued in Istanbul, Turkey, on 25 June 2004 by the Council of Ministers for Foreign Affairs of the States members of the Black Sea Economic Cooperation Organization on the contribution of the Organization to security and stability, and encourages the ongoing process of considering ways and means of enhancing the contribution of the Organization to security and stability in the region;

2. *Takes note* of the entry into force of the Additional Protocol to the Agreement among the Governments of the Black Sea Economic Cooperation Organization Participating States on Cooperation in Combating Crime, in Particular in its Organized Forms, done in Kyiv on 15 March 2002, as well as the imminent signature of the Additional Protocol on Combating Terrorism to the same Agreement;

3. *Welcomes* the activities of the Black Sea Economic Cooperation Organization aimed at strengthening regional cooperation in various fields, such as trade and economic development, banking and finance, communications, energy, transport, agriculture and agro-industry, health care and pharmaceuticals, environmental protection, tourism, science and technology, exchange of statistical data and economic information, collaboration among Customs services, and combating organized crime and the illicit trafficking of drugs, weapons and radioactive material, all acts of terrorism and illegal migration, or in any other related area;

4. *Also welcomes* the adoption of the Baku Declaration on energy cooperation in the region of the Black Sea Economic Cooperation Organization by the Ministers of Energy of the States members of the Organization on 19 September 2003 and the Joint Declaration by the Ministers of Transport from countries of the Black Sea and Caspian Sea region on 3 October 2003;

5. *Further welcomes* the operationalization and financing of the first projects by the Project Development Fund of the Black Sea Economic Cooperation Organization to the benefit of the sustainable development of the Black Sea region;

6. *Takes note* of the positive contribution of the Parliamentary Assembly of the Black Sea Economic Cooperation Organization, the Business Council, the Black Sea Trade and Development Bank and the International Centre for Black Sea Studies to the strengthening of multifaceted regional cooperation in the Black Sea area;

7. *Welcomes* the Cooperation Agreement between the Economic Commission for Europe and the Black Sea Economic Cooperation Organization, signed on 2 July 2001, and the support given by the Commission to the activities of the Organization in the fields provided for in the Agreement, notably in small and medium-sized enterprises, energy and transportation policy development;

8. *Also welcomes* the collaboration between the Black Sea Economic Cooperation Organization and the United Nations Environment Programme based on the Cooperation Agreement signed in Istanbul on 20 February 2002;

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[243] Resolution 49/57, annex.

[244] A/59/303, part three.

9. *Further welcomes* the cooperation between the Food and Agriculture Organization of the United Nations and the Black Sea Economic Cooperation Organization, as well as the financial support provided by the Food and Agriculture Organization in implementing the project on institutional strengthening to facilitate intraregional and interregional agricultural trade among States members of the Black Sea Economic Cooperation Organization and other projects on trade promotion;

10. *Takes note* of the cooperation between the Black Sea Economic Cooperation Organization and the World Bank and the World Trade Organization and the working contacts with the World Tourism Organization, aimed at the sustainable development of the Black Sea region;

11. *Also takes note* of the importance attached by the Black Sea Economic Cooperation Organization to the strengthening of relations with the European Union, and supports the efforts of the Organization to take concrete steps to advance this cooperation;

12. *Further takes note* of the cooperation established between the Black Sea Economic Cooperation Organization and other regional organizations and initiatives;

13. *Invites* the Secretary-General to strengthen dialogue with the Black Sea Economic Cooperation Organization with a view to promoting cooperation and coordination between the two secretariats;

14. *Invites* the specialized agencies and other organizations and programmes of the United Nations system to cooperate with the Black Sea Economic Cooperation Organization in order to continue programmes with the Organization and its associated institutions for the achievement of their objectives;

15. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution;

16. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Black Sea Economic Cooperation Organization".

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RESOLUTION 59/59

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/452, para. 8)[1]

59/59. Maintenance of international security – good-neighbourliness, stability and development in South-Eastern Europe

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations and the Final Act of the Conference on Security and Cooperation in Europe, signed in Helsinki on 1 August 1975,

Recalling also the United Nations Millennium Declaration,[2]

Recalling further its previous resolutions on the subject, including resolution 57/52 of 22 November 2002,

Welcoming with appreciation the increased cooperation among countries in the region of South-Eastern Europe on issues related to security, economy, trade, transport, cross-border cooperation, human rights and justice and home affairs,

Reiterating the importance of the South-East European Cooperation Process for further enhancing regional cooperation and stability, which constitutes one of the main elements of the Stabilization and Association Process, and welcoming the positive results of the South-East European Cooperation Process summit meeting, held in Sarajevo on 21 April 2004,

Welcoming the conclusions reached at the Summit of the European Council, held in Thessaloniki, Greece, on 19 and 20 June 2003, and the decisions of the European Council on the principles, priorities and conditions contained in the European Partnerships with all countries of the Stabilization and Association Process,

Noting the progress made by the countries of the Stabilization and Association Process in fulfilling the criteria for membership in the European Union and, in this context, the first entry into force of a Stabilization and Association Agreement, as well as Croatia's becoming a candidate country for membership in the European Union,

Emphasizing the crucial importance of the full implementation of Security Council resolution 1244 (1999) of 10 June 1999 on Kosovo, Serbia and Montenegro, and stressing, inter alia, the role and responsibility of the United Nations Interim Administration Mission in Kosovo, supported by the Organization for Security and Cooperation in Europe and the European Union, and of the North Atlantic Treaty Organization and its Kosovo Force in that regard,

Reaffirming the validity of the Agreement for the delineation of the borderline between the former Yugoslav Republic of Macedonia and Serbia and Montenegro, signed in Skopje on 23 February 2001,[3] and encouraging the parties to cooperate in its timely implementation,

Noting the importance of the Regional Conference on Border Security and Management, held in Ohrid, the former Yugoslav Republic of Macedonia, on 22 and 23 May 2003,

Emphasizing the crucial importance of strengthening regional efforts in South-Eastern Europe on arms control, demining, disarmament and confidence-building measures and non-proliferation of weapons of mass destruction, and concerned that, in spite of ongoing efforts, the illicit trade in small arms and light weapons in all its aspects persists in some parts of the region,

Affirming its support for all regional initiatives on combating the illicit proliferation of small arms and light weapons, including the activities undertaken at the national level for their collection and destruction,

Mindful of the importance of national, regional and international activities of all relevant organizations aimed at the creation of peace, security, stability, democracy, cooperation and economic development and the observance of human rights and good-neighbourliness in South-Eastern Europe,

Reaffirming its determination that all nations should live together in peace with one another as good neighbours,

1. *Reaffirms* the need for full observance of the Charter of the United Nations;

2. *Calls upon* all States, the relevant international organizations and the appropriate organs of the United Nations to respect the principles of territorial integrity and sovereignty of all States and the inviolability of international borders, to continue to take measures in accordance with the Charter and the commitments of the Organization for Security and Cooperation in Europe and through further development of regional arrangements, as appropriate, to eliminate threats to international peace and security and to help to prevent conflicts in South-Eastern Europe, which can lead to the violent disintegration of States;

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[1] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

[2] See resolution 55/2.

[3] A/56/60-S/2001/234, annex.

3. *Acknowledges* the positive results achieved so far by the countries of the region, urges them to invest further efforts in consolidating South-Eastern Europe as a region of peace, security, stability, democracy, the rule of law, cooperation and economic development and for the promotion of good-neighbourliness and the observance of human rights, thus contributing to the maintenance of international peace and security and enhancing the prospects for sustained development and prosperity for all peoples in the region as an integral part of Europe, and recognizes the role of the United Nations, the Organization for Security and Cooperation in Europe and the European Union in successfully promoting regional disarmament;

4. *Calls upon* all participants in the Stability Pact for South-Eastern Europe, as well as all concerned international organizations, to continue to support the efforts of the States of South-Eastern Europe towards regional stability and cooperation so as to enable them to pursue sustainable development and integration into European structures, taking also into account trans-Atlantic relations;

5. *Calls upon* all States and relevant international organizations to contribute to the full implementation of Security Council resolution 1244 (1999), on Kosovo, Serbia and Montenegro, as well as of Council resolutions 1345 (2001) of 21 March 2001 and 1371 (2001) of 26 September 2001, and emphasizes the importance of the standards review process, of the implementation of the "Standards for Kosovo" document[4] endorsed by the Security Council in its presidential statement of 12 December 2003[5] and of the Kosovo Standards Implementation Plan of 31 March 2004;[6]

6. *Recognizes* the efforts made and activities undertaken in Kosovo by the United Nations and the Kosovo Force for the establishment of a multi-ethnic and stable Kosovo, thus contributing to a further improvement of the overall security situation in the region;

7. *Rejects* the use of violence in pursuit of political aims, and stresses that only peaceful political solutions can assure a stable and democratic future for South-Eastern Europe;

8. *Stresses* the importance of good-neighbourliness and the development of friendly relations among States, and calls upon all States to resolve their disputes with other States by peaceful means, in accordance with the Charter;

9. *Urges* the strengthening of relations among the States of South-Eastern Europe on the basis of respect for international law and agreements, in accordance with the principles of good-neighbourliness and mutual respect;

10. *Recognizes* the efforts of the international community, and welcomes in particular the assistance already provided by the European Union and the Stability Pact for South-Eastern Europe, as well as other contributors, in promoting the long-term process of democratic and economic development of the region;

11. *Calls upon* all States to intensify cooperation with and render all necessary assistance to the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 to bring all at-large indictees to surrender to the Tribunal in line with Security Council resolutions 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004;

12. *Stresses* the importance of enhanced regional cooperation for the development of the South-Eastern European States in the priority areas of infrastructure, transport, trade, energy and environment, as well as in other areas of common interest;

13. *Also stresses* that the rapprochement of the South-Eastern European States with the European Union will favourably influence the security, political and economic situation in the region, as well as good-neighbourly relations among the States;

14. *Emphasizes* the importance of continuous regional efforts and intensified dialogue in South-Eastern Europe aimed at arms control, disarmament and confidence-building measures, as well as strengthening cooperation and undertaking appropriate measures at the national, subregional and regional levels against the proliferation of weapons of mass destruction and to prevent all acts of terrorism;

15. *Recognizes* the seriousness of the problem of anti-personnel mines and explosive remnants of war in some parts of South-Eastern Europe, welcomes in this context the efforts of the countries in the region and of the international community in support of mine action, and encourages States to join and support these efforts;

16. *Urges* all States to take effective measures against the illicit trade in small arms and light weapons in all its aspects and to help programmes and projects aimed at the collection and safe destruction of surplus stocks of small arms and light weapons, and stresses the importance of closer cooperation among States, inter alia, in crime prevention, combating terrorism, trafficking in human beings, organized crime and corruption, drug trafficking and money-laundering;

17. *Calls upon* all States and the relevant international organizations to communicate to the Secretary-General their views on the subject of the present resolution;

18. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Maintenance of

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[4] See UNMIK/PR/1078.

[5] S/PRST/2003/26.

[6] Available from www.unmikonline.org.

international security – good-neighbourliness, stability and development in South-Eastern Europe".

RESOLUTION 59/60

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/453, para. 8)[7]

59/60. Verification in all its aspects, including the role of the United Nations in the field of verification

The General Assembly,

Noting the critical importance of and the vital contribution that has been made by effective verification measures in non-proliferation, arms limitation and disarmament agreements and other similar obligations,

Reaffirming its support for the sixteen principles of verification drawn up by the Disarmament Commission,[8]

Recalling its resolutions 40/152 O of 16 December 1985, 41/86 Q of 4 December 1986, 42/42 F of 30 November 1987, 43/81 B of 7 December 1988, 45/65 of 4 December 1990, 47/45 of 9 December 1992, 48/68 of 16 December 1993, 50/61 of 12 December 1995, 52/31 of 9 December 1997, 54/46 of 1 December 1999 and 56/15 of 29 November 2001, as well as its decision 58/515 of 8 December 2003,

Recalling also the reports of the Secretary-General of 11 July 1986, 28 August 1990, 16 September 1992, 26 July 1993, 22 September 1995, 6 August 1997, 9 July 1999, 10 September 2001 and 10 July 2003, and the addenda thereto,[9]

1. *Reaffirms* the critical importance of and the vital contribution that has been made by effective verification measures in non-proliferation, arms limitation and disarmament agreements and other similar obligations;

2. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on further views received from Member States;

3. *Also requests* the Secretary-General, with the assistance of a panel of government experts to be established in 2006 on the basis of equitable geographic distribution, to explore the question of verification in all its aspects, including the role of the United Nations in the field of verification, and to transmit the report of the panel of experts to the General Assembly for consideration at its sixty-first session;

4. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Verification in all its aspects, including the role of the United Nations in the field of verification".

RESOLUTION 59/61

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/454, para. 8)[10]

59/61. Developments in the field of information and telecommunications in the context of international security

The General Assembly,

Recalling its resolutions 53/70 of 4 December 1998, 54/49 of 1 December 1999, 55/28 of 20 November 2000, 56/19 of 29 November 2001, 57/53 of 22 November 2002 and 58/32 of 8 December 2003,

Recalling also its resolutions on the role of science and technology in the context of international security, in which, inter alia, it recognized that scientific and technological developments could have both civilian and military applications and that progress in science and technology for civilian applications needed to be maintained and encouraged,

Noting that considerable progress has been achieved in developing and applying the latest information technologies and means of telecommunication,

Affirming that it sees in this process the broadest positive opportunities for the further development of civilization, the expansion of opportunities for cooperation for the common good of all States, the enhancement of the creative potential of humankind and additional improvements in the circulation of information in the global community,

Recalling, in this connection, the approaches and principles outlined at the Information Society and Development Conference, held in Midrand, South Africa, from 13 to 15 May 1996,

Bearing in mind the results of the Ministerial Conference on Terrorism, held in Paris on 30 July 1996, and the recommendations that it made,[11]

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[7] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Austria, Belgium, Canada, Chile, El Salvador, Finland, Germany, Greece, Ireland, Italy, Kazakhstan, Kyrgyzstan, Liechtenstein, Luxembourg, Malta, Netherlands, New Zealand, Norway, Republic of Korea, Russian Federation, Slovenia, Spain, Sweden, Switzerland, Thailand and Ukraine.

[8] See *Official Records of the General Assembly, Fifteenth Special Session, Supplement No. 3* (A/S-15/3), para. 60 (para. 6, sect. I, of the quoted text).

[9] A/41/422 and Add.1 and 2, A/45/372 and Corr.1, A/47/405 and Add.1, A/48/227 and Add.1 and 2, A/50/377 and Corr.1, A/52/269, A/54/166, A/56/347 and Add.1 and A/58/128.

[10] The draft resolution recommended in the report was sponsored in the Committee by the Russian Federation.

[11] See A/51/261, annex.

Noting that the dissemination and use of information technologies and means affect the interests of the entire international community and that optimum effectiveness is enhanced by broad international cooperation,

Expressing its concern that these technologies and means can potentially be used for purposes that are inconsistent with the objectives of maintaining international stability and security and may adversely affect the integrity of the infrastructure of States to the detriment of their security in both civil and military fields,

Considering that it is necessary to prevent the use of information resources or technologies for criminal or terrorist purposes,

Noting the contribution of those Member States that have submitted their assessments on issues of information security to the Secretary-General pursuant to paragraphs 1 to 3 of resolutions 53/70, 54/49, 55/28, 56/19, 57/53 and 58/32,

Taking note of the reports of the Secretary-General containing those assessments,[12]

Welcoming the initiative taken by the Secretariat and the United Nations Institute for Disarmament Research in convening an international meeting of experts in Geneva in August 1999 on developments in the field of information and telecommunications in the context of international security, as well as its results,

Considering that the assessments of the Member States contained in the reports of the Secretary-General and the international meeting of experts have contributed to a better understanding of the substance of issues of international information security and related notions,

1. *Calls upon* Member States to promote further at multilateral levels the consideration of existing and potential threats in the field of information security, as well as possible measures to limit the threats emerging in this field, consistent with the need to preserve the free flow of information;

2. *Considers* that the purpose of such measures could be served through the examination of relevant international concepts aimed at strengthening the security of global information and telecommunications systems;

3. *Invites* all Member States to continue to inform the Secretary-General of their views and assessments on the following questions:

(*a*) General appreciation of the issues of information security;

(*b*) Definition of basic notions related to information security, including unauthorized interference with or misuse of information and telecommunications systems and information resources;

(*c*) The content of the concepts mentioned in paragraph 2 above;

4. *Notes with satisfaction* that the Secretary-General is considering existing and potential threats in the sphere of information security and possible cooperative measures to address them, and is conducting a study on the concepts referred to in paragraph 2 above, with the assistance of the group of governmental experts, established in 2004 pursuant to resolution 58/32, and will submit a report on the outcome of the study to the General Assembly at its sixtieth session;

5. *Also notes with satisfaction* that the group of governmental experts established by the Secretary-General held its first session from 12 to 16 July 2004 in New York and that it intends to convene two more sessions in 2005 to fulfil its mandate specified in resolution 58/32;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Developments in the field of information and telecommunications in the context of international security".

RESOLUTION 59/62

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/455 para. 7),[13] by a recorded vote of 106 to 48, with 21 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda,

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[12] A/54/213, A/55/140 and Corr.1 and Add.1, A/56/164 and Add.1, A/57/166 and Add.1, A/58/373 and A/59/116 and Add.1.

[13] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Bhutan, Burkina Faso, Cambodia, Congo, Cuba, Democratic People's Republic of Korea, Dominican Republic, El Salvador, Fiji, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Myanmar, Namibia, Nepal, Pakistan, Peru, Singapore, Sri Lanka, Sudan, Viet Nam and Zambia.

United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, Chile, Haiti, Japan, Kazakhstan, Kyrgyzstan, Marshall Islands, Nauru, Paraguay, Russian Federation, Samoa, South Africa, Tajikistan, Tonga, Ukraine, Uruguay, Uzbekistan, Vanuatu

59/62. Role of science and technology in the context of international security and disarmament

The General Assembly,

Recognizing that scientific and technological developments can have both civilian and military applications and that progress in science and technology for civilian applications needs to be maintained and encouraged,

Concerned that military applications of scientific and technological developments can contribute significantly to the improvement and upgrading of advanced weapons systems and, in particular, weapons of mass destruction,

Aware of the need to follow closely the scientific and technological developments that may have a negative impact on international security and disarmament, and to channel scientific and technological developments for beneficial purposes,

Cognizant that international transfers of dual-use as well as high-technology products, services and know-how for peaceful purposes are important for the economic and social development of States,

Also cognizant of the need to regulate such transfers of dual-use goods and technologies and high technology with military applications through multilaterally negotiated, universally applicable, non-discriminatory guidelines,

Expressing its concern about the growing proliferation of ad hoc and exclusive export control regimes and arrangements for dual-use goods and technologies, which tend to impede the economic and social development of developing countries,

Recalling that in the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Kuala Lumpur from 20 to 25 February 2003,[14] and in the Final Document of the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Durban, South Africa, from 17 to 19 August 2004, it was again noted with concern that undue restrictions on exports to developing countries of material, equipment and technology for peaceful purposes persisted,

Emphasizing that internationally negotiated guidelines for the transfer of high technology with military applications should take into account the legitimate defence requirements of all States and the requirements for the maintenance of international peace and security, while ensuring that access to high-technology products and services and know-how for peaceful purposes is not denied,

1. *Affirms* that scientific and technological progress should be used for the benefit of all mankind to promote the sustainable economic and social development of all States and to safeguard international security, and that international cooperation in the use of science and technology through the transfer and exchange of technological know-how for peaceful purposes should be promoted;

2. *Invites* Member States to undertake additional efforts to apply science and technology for disarmament-related purposes and to make disarmament-related technologies available to interested States;

3. *Urges* Member States to undertake multilateral negotiations with the participation of all interested States in order to establish universally acceptable, non-discriminatory guidelines for international transfers of dual-use goods and technologies and high technology with military applications;

4. *Encourages* United Nations bodies to contribute, within existing mandates, to promoting the application of science and technology for peaceful purposes;

5. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Role of science and technology in the context of international security and disarmament".

RESOLUTION 59/63

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/456, para. 7)[15]

59/63. Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of

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[14] A/57/759-S/2003/332, annex I.

[15] The draft resolution recommended in the report was sponsored in the Committee by Egypt.

12 December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994, 50/66 of 12 December 1995, 51/41 of 10 December 1996, 52/34 of 9 December 1997, 53/74 of 4 December 1998, 54/51 of 1 December 1999, 55/30 of 20 November 2000, 56/21 of 29 November 2001, 57/55 of 22 November 2002 and 58/34 of 8 December 2003 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (*d*), of the Final Document of the Tenth Special Session of the General Assembly,[16]

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

Having examined the report of the Secretary-General on the implementation of resolution 58/34,[17]

1. *Urges* all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;[18]

2. *Calls upon* all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. *Takes note* of resolution GC(48)/RES/16, adopted on 24 September 2004 by the General Conference of the International Atomic Energy Agency at its forty-eighth regular session, concerning the application of Agency safeguards in the Middle East;[19]

4. *Notes* the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. *Invites* all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (*d*) of the Final Document of the Tenth Special Session of the General Assembly,[16] and to deposit those declarations with the Security Council;

6. *Also invites* those countries, pending the establishment of the zone, not to develop, produce, test or

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[16] Resolution S-10/2.

[17] A/59/165 (Part I) and Corr.1.

[18] United Nations, *Treaty Series*, vol. 729, No. 10485.

[19] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-eighth Regular Session, 20–24 September 2004* (GC(48)/RES/DEC(2004)).

otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. *Takes note* of the report of the Secretary-General;[17]

9. *Invites* all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. *Requests* the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report of 10 October 1990[20] or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East;

11. *Also requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

RESOLUTION 59/64

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/457, para. 7),[21] by a recorded vote of 118 to none, with 63 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu

59/64. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Welcoming the progress achieved in recent years in both nuclear and conventional disarmament,

Noting that, despite recent progress in the field of nuclear disarmament, further efforts are necessary towards the achievement of general and complete disarmament under effective international control,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Determined to abide strictly by the relevant provisions of the Charter of the United Nations on the non-use of force or threat of force,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

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[20] A/45/435.

[21] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Brunei Darussalam, Colombia, Cuba, Democratic People's Republic of Korea, Egypt, El Salvador, Indonesia, Iran (Islamic Republic of), Jordan, Malaysia, Mali, Myanmar, Nigeria, Pakistan, Saudi Arabia, Sri Lanka, Sudan, Syrian Arab Republic, Viet Nam and Zambia.

Recognizing that effective measures and arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,[22] the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling the relevant parts of the special report of the Committee on Disarmament[23] submitted to the General Assembly at its twelfth special session,[24] the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session,[25] the third special session devoted to disarmament, as well as the report of the Conference on its 1992 session,[26]

Recalling also paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, inter alia, that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons,[27] with a view to reaching agreement on this question,

Taking note of the proposals submitted under the item in the Conference on Disarmament, including the drafts of an international convention,

Taking note also of the relevant decision of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Kuala Lumpur from 20 to 25 February 2003,[28] as well as the relevant recommendations of the Organization of the Islamic Conference,

Taking note further of the unilateral declarations made by all the nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against the non-nuclear-weapon States,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

Taking note of Security Council resolution 984 (1995) of 11 April 1995 and the views expressed on it,

Recalling its relevant resolutions adopted in previous years, in particular resolutions 45/54 of 4 December 1990, 46/32 of 6 December 1991, 47/50 of 9 December 1992, 48/73 of 16 December 1993, 49/73 of 15 December 1994, 50/68 of 12 December 1995, 51/43 of 10 December 1996, 52/36 of 9 December 1997, 53/75 of 4 December 1998, 54/52 of 1 December 1999, 55/31 of 20 November 2000, 56/22 of 29 November 2001, 57/56 of 22 November 2002 and 58/35 of 8 December 2003,

1. *Reaffirms* the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties with regard to evolving a common approach acceptable to all have also been pointed out;

3. *Appeals* to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

4. *Recommends* that further intensive efforts be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, be explored further in order to overcome the difficulties;

5. *Also recommends* that the Conference on Disarmament actively continue intensive negotiations with a view to reaching early agreement and concluding effective

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[22] Resolution S-10/2.

[23] The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

[24] *Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2* (A/S-12/2), sect. III.C.

[25] Ibid., *Fifteenth Special Session, Supplement No. 2* (A/S-15/2), sect. III.F.

[26] Ibid., *Forty-seventh Session, Supplement No. 27* (A/47/27), sect. III.F.

[27] Ibid., *Forty-eighth Session, Supplement No. 27* (A/48/27), para. 39.

[28] See A/57/759-S/2003/332, annex I.

international arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

RESOLUTION 59/65

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/458, para. 7),[29] by a recorded vote of 178 to none, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Haiti, Israel, Palau, United States of America

59/65. Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development,

Reaffirming also the provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[30]

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly,[31] in which it is stated that in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Recalling its previous resolutions on this issue, and taking note of the proposals submitted to the General Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing that prevention of an arms race in outer space would avert a grave danger for international peace and security,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

Considering that wide participation in the legal regime applicable to outer space could contribute to enhancing its effectiveness,

Noting that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space,[32] and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

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[29] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bangladesh, Belarus, Brunei Darussalam, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Egypt, El Salvador, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Libyan Arab Jamahiriya, Malaysia, Mongolia, Pakistan, Russian Federation, Sierra Leone, Sri Lanka, Syrian Arab Republic, Uruguay, Yemen and Zambia.

[30] Resolution 2222 (XXI), annex.

[31] Resolution S-10/2.

Noting also that there were no objections in principle in the Conference on Disarmament to the re-establishment of the Ad Hoc Committee, subject to re-examination of the mandate contained in the decision of the Conference on Disarmament of 13 February 1992,[33]

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space, including the weaponization of outer space,

Stressing that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

Recalling, in this context, its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, inter alia, it reaffirmed the importance of confidence-building measures as a means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Conscious of the benefits of confidence- and security-building measures in the military field,

Recognizing that negotiations for the conclusion of an international agreement or agreements to prevent an arms race in outer space remain a priority task of the Ad Hoc Committee and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

1. *Reaffirms* the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;[30]

2. *Reaffirms its recognition*, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space does not in and of itself guarantee the prevention of an arms race in outer space, that the regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness and that it is important to comply strictly with existing agreements, both bilateral and multilateral;

3. *Emphasizes* the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. *Reiterates* that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. *Invites* the Conference on Disarmament to complete the examination and updating of the mandate contained in its decision of 13 February 1992[33] and to establish an ad hoc committee as early as possible during its 2005 session;

7. *Recognizes*, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

8. *Urges* States conducting activities in outer space, as well as States interested in conducting such activities, to keep the Conference on Disarmament informed of the progress of bilateral and multilateral negotiations on the matter, if any, so as to facilitate its work;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Prevention of an arms race in outer space".

RESOLUTION 59/66

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[34]

59/66. National legislation on transfer of arms, military equipment and dual-use goods and technology

The General Assembly,

Recognizing that disarmament, arms control and non-proliferation are essential for the maintenance of international peace and security,

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[32] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27* (A/49/27), sect. III.D (para. 5 of the quoted text).

[33] CD/1125.

[34] The draft resolution recommended in the report was sponsored in the Committee by the Netherlands.

Recalling that effective national control of the transfer of arms, military equipment and dual-use goods and technology, including those transfers that could contribute to proliferation activities, is an important tool for achieving those objectives,

Recalling also that the States parties to the international disarmament and non-proliferation treaties have undertaken to facilitate the fullest possible exchange of materials, equipment and technological information for peaceful purposes, in accordance with the provisions of those treaties,

Considering that the exchange of national legislation, regulations and procedures on the transfer of arms, military equipment and dual-use goods and technology contributes to mutual understanding and confidence among Member States,

Convinced that such an exchange would be beneficial to Member States that are in the process of developing such legislation,

Reaffirming the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations,

1. *Invites* Member States that are in a position to do so, without prejudice to the provisions contained in Security Council resolution 1540 (2004) of 28 April 2004, to enact or improve national legislation, regulations and procedures to exercise effective control over the transfer of arms, military equipment and dual-use goods and technology, while ensuring that such legislation, regulations and procedures are consistent with the obligations of States parties under international treaties;

2. *Encourages* Member States to provide, on a voluntary basis, information to the Secretary-General on their national legislation, regulations and procedures on the transfer of arms, military equipment and dual-use goods and technology, as well as the changes therein, and requests the Secretary-General to make this information accessible to Member States;

3. *Decides* to remain attentive to the matter.

RESOLUTION 59/67

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[35] by a recorded vote of 119 to 4, with 60 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan

59/67. Missiles

The General Assembly,

Recalling its resolutions 54/54 F of 1 December 1999, 55/33 A of 20 November 2000, 56/24 B of 29 November 2001, 57/71 of 22 November 2002 and 58/37 of 8 December 2003,

Reaffirming the role of the United Nations in the field of arms regulation and disarmament and the commitment of Member States to take concrete steps to strengthen that role,

Realizing the need to promote regional and international peace and security in a world free from the scourge of war and the burden of armaments,

Convinced of the need for a comprehensive approach towards missiles, in a balanced and non-discriminatory manner, as a contribution to international peace and security,

Bearing in mind that the security concerns of Member States at the international and regional levels should be taken into consideration in addressing the issue of missiles,

Underlining the complexities involved in considering the issue of missiles in the conventional context,

Expressing its support for the international efforts against the development and proliferation of all weapons of mass destruction,

Considering that the Secretary-General, in response to resolution 58/37, established in 2004 a Panel of Governmental Experts, which had a comprehensive, in-depth exchange of views on the issue of missiles in all its aspects,

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[35] The draft resolution recommended in the report was sponsored in the Committee by: Egypt, Indonesia, Iran (Islamic Republic of).

Taking note of the report of the Secretary-General on the issue of missiles in all its aspects,[36] in which he stated that given the complexity of the issues at hand, no consensus had been reached on the preparation of a final report by the Panel,

1. *Takes note* of the report of the Secretary-General containing the replies from Member States on the report on the issue of missiles in all its aspects, submitted pursuant to resolution 58/37;[37]

2. *Requests* the Secretary-General to prepare a report, with the support of qualified consultants and the United Nations Institute for Disarmament Research, as appropriate, taking into account the views expressed by Member States, to contribute to the United Nations endeavour to address the issue of missiles in all its aspects, by identifying areas where consensus can be reached, and to submit it to the General Assembly at its sixty-first session;

3. *Also requests* the Secretary-General, with the assistance of a Panel of Governmental Experts, to be established in 2007 on the basis of equitable geographical distribution, to further explore further ways and means to address within the United Nations the issue of missiles in all its aspects, including identifying areas where consensus can be reached, and to submit a report for consideration by the General Assembly at its sixty-third session;

4. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Missiles".

RESOLUTION 59/68

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[38] by a recorded vote of 175 to 2, with 3 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Against: Palau, United States of America

Abstaining: France, Israel, United Kingdom of Great Britain and Northern Ireland

59/68. Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

The General Assembly,

Recalling its resolutions 50/70 M of 12 December 1995, 51/45 E of 10 December 1996, 52/38 E of 9 December 1997, 53/77 J of 4 December 1998, 54/54 S of 1 December 1999, 55/33 K of 20 November 2000, 56/24 F of 29 November 2001, 57/64 of 22 November 2002 and 58/45 of 8 December 2003,

Emphasizing the importance of the observance of environmental norms in the preparation and implementation of disarmament and arms limitation agreements,

Recognizing that it is necessary to take duly into account the agreements adopted at the United Nations Conference on Environment and Development, as well as prior relevant agreements, in the drafting and implementation of agreements on disarmament and arms limitation,

Taking note of the report of the Secretary-General,[39]

Mindful of the detrimental environmental effects of the use of nuclear weapons,

1. *Reaffirms* that international disarmament forums should take fully into account the relevant environmental norms in negotiating treaties and agreements on disarmament and arms limitation and that all States, through their actions, should contribute fully to ensuring compliance with the aforementioned norms in the implementation of treaties and conventions to which they are parties;

2. *Calls upon* States to adopt unilateral, bilateral, regional and multilateral measures so as to contribute to

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[36] A/59/278 and Corr.1.

[37] See A/59/137.

[38] The draft resolution recommended in the report was sponsored in the Committee by: Burkina Faso, Liberia and Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[39] A/59/129 and Add.1.

ensuring the application of scientific and technological progress within the framework of international security, disarmament and other related spheres, without detriment to the environment or to its effective contribution to attaining sustainable development;

3. *Welcomes* the information provided by Member States on the implementation of the measures they have adopted to promote the objectives envisaged in the present resolution;[39]

4. *Invites* all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the present resolution, and requests the Secretary-General to submit a report containing this information to the General Assembly at its sixtieth session;

5. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control".

RESOLUTION 59/69

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[40] by a recorded vote of 125 to 9, with 49 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Israel, Latvia, Marshall Islands, Micronesia (Federated States of), Palau, Poland, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Nauru, Netherlands, New Zealand, Norway, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, Uzbekistan

59/69. Promotion of multilateralism in the area of disarmament and non-proliferation

The General Assembly,

Determined to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

Recalling its resolution 56/24 T of 29 November 2001 on multilateral cooperation in the area of disarmament and non-proliferation and global efforts against terrorism and other relevant resolutions, as well as its resolutions 57/63 of 22 November 2002 and 58/44 of 8 December 2003 on promotion of multilateralism in the area of disarmament and non-proliferation,

Recalling also the purpose of the United Nations to maintain international peace and security and, to that end, to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace, as enshrined in the Charter,

Recalling further the United Nations Millennium Declaration,[41] which states, inter alia, that the responsibility for managing worldwide economic and social development, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally and that, as the most universal and most representative organization in the world, the United Nations must play the central role,

Convinced that, in the globalization era and with the information revolution, arms regulation, non-proliferation and disarmament problems are more than ever the concern of all countries in the world, which are affected in one way or another by these problems and, therefore, should have the possibility to participate in the negotiations that arise to tackle them,

Bearing in mind the existence of a broad structure of disarmament and arms regulation agreements resulting from non-discriminatory and transparent multilateral negotiations with the participation of a large number of countries, regardless of their size and power,

Aware of the need to advance further in the field of arms regulation, non-proliferation and disarmament on the basis of universal, multilateral, non-discriminatory and transparent negotiations with the goal of reaching general and complete disarmament under strict international control,

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[40] The draft resolution recommended in the report was sponsored in the Committee by Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[41] See resolution 55/2.

Recognizing the complementarity of bilateral, plurilateral and multilateral negotiations on disarmament,

Recognizing also that the proliferation and development of weapons of mass destruction, including nuclear weapons, are among the most immediate threats to international peace and security which need to be dealt with, with the highest priority,

Considering that the multilateral disarmament agreements provide the mechanism for States parties to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of the agreements and that such consultations and cooperation may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with the Charter,

Stressing that international cooperation, the peaceful settlement of disputes, dialogue and confidence-building measures would contribute essentially to the creation of multilateral and bilateral friendly relations among peoples and nations,

Being concerned at the continuous erosion of multilateralism in the field of arms regulation, non-proliferation and disarmament, and recognizing that a resort to unilateral actions by Member States in resolving their security concerns would jeopardize international peace and security and undermine confidence in the international security system as well as the foundations of the United Nations itself,

Reaffirming the absolute validity of multilateral diplomacy in the field of disarmament and non-proliferation, and determined to promote multilateralism as an essential way to develop arms regulation and disarmament negotiations,

1. *Reaffirms* multilateralism as the core principle in negotiations in the area of disarmament and non-proliferation with a view to maintaining and strengthening universal norms and enlarging their scope;

2. *Also reaffirms* multilateralism as the core principle in resolving disarmament and non-proliferation concerns;

3. *Urges* the participation of all interested States in multilateral negotiations on arms regulation, non-proliferation and disarmament in a non-discriminatory and transparent manner;

4. *Underlines* the importance of preserving the existing agreements on arms regulation and disarmament, which constitute an expression of the results of international cooperation and multilateral negotiations in response to the challenges facing mankind;

5. *Calls once again upon* all Member States to renew and fulfil their individual and collective commitments to multilateral cooperation as an important means of pursuing and achieving their common objectives in the area of disarmament and non-proliferation;

6. *Requests* the States parties to the relevant instruments on weapons of mass destruction to consult and cooperate among themselves in resolving their concerns with regard to cases of non-compliance as well as on implementation, in accordance with the procedures defined in those instruments, and to refrain from resorting or threatening to resort to unilateral actions or directing unverified non-compliance accusations against one another to resolve their concerns;

7. *Takes note* of the report of the Secretary-General containing the replies of Member States on the promotion of multilateralism in the area of disarmament and non-proliferation, submitted pursuant to resolution 58/44;[42]

8. *Requests* the Secretary-General to seek the views of Member States on the issue of the promotion of multilateralism in the area of disarmament and non-proliferation and to submit a report thereon to the General Assembly at its sixtieth session;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Promotion of multilateralism in the area of disarmament and non-proliferation".

RESOLUTION 59/70

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[43] by a recorded vote of 179 to none, with 5 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland,

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[42] A/59/128 and Add.1.

[43] The draft resolution recommended in the report was sponsored in the Committee by Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

59/70. Measures to uphold the authority of the 1925 Geneva Protocol

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolution 57/62 of 22 November 2002,

Determined to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control,

Recalling the long-standing determination of the international community to achieve the effective prohibition of the development, production, stockpiling and use of chemical and biological weapons as well as the continuing support for measures to uphold the authority of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[44] as expressed by consensus in many previous resolutions,

Emphasizing the necessity of easing international tension and strengthening trust and confidence between States,

Welcoming the recent initiatives by three more States Parties to withdraw their reservations to the 1925 Geneva Protocol,

1. *Takes note* of the note by the Secretary-General;[45]

2. *Renews its previous call* to all States to observe strictly the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare,[44] and reaffirms the vital necessity of upholding its provisions;

3. *Calls upon* those States that continue to maintain reservations to the 1925 Geneva Protocol to withdraw them;

4. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution.

RESOLUTION 59/71

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[46]

59/71. Convening of the fourth special session of the General Assembly devoted to disarmament

The General Assembly,

Recalling its resolutions 49/75 I of 15 December 1994, 50/70 F of 12 December 1995, 51/45 C of 10 December 1996, 52/38 F of 9 December 1997, 53/77 AA of 4 December 1998, 54/54 U of 1 December 1999, 55/33 M of 20 November 2000, 56/24 D of 29 November 2001 and 57/61 of 22 November 2002 and its decision 58/521 of 8 December 2003,

Recalling also that, there being a consensus to do so in each case, three special sessions of the General Assembly devoted to disarmament were held in 1978, 1982 and 1988,

Bearing in mind the Final Document of the Tenth Special Session of the General Assembly, adopted by consensus at the first special session devoted to disarmament,[47]

Bearing in mind also the ultimate objective of general and complete disarmament under effective international control,

Taking note of paragraph 98 of the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held at Kuala Lumpur from 20 to 25 February 2003,[48] and paragraph 91 of the Final Document of the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, held at Durban, South Africa, from 17 to 19 August 2004, which supported the convening of the fourth special session of the General Assembly devoted to disarmament, which would offer an opportunity to review, from a perspective more in tune with the current international situation, the most critical aspects of the process of disarmament and to mobilize the international community and public opinion in favour of the elimination of nuclear and other weapons of mass destruction and of the control and reduction of conventional weapons,

Recalling the United Nations Millennium Declaration, adopted by the Heads of State and Government during the Millennium Summit of the United Nations, held in New York from 6 to 8 September 2000,[49] in which they resolved "to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers",

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[44] League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138.

[45] A/59/179.

[46] The draft resolution recommended in the report was sponsored in the Committee by Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[47] Resolution S-10/2.

[48] See A/57/759-S/2003/332, annex I.

Reiterating its conviction that a special session of the General Assembly devoted to disarmament can set the future course of action in the fields of disarmament, arms control, non-proliferation and related international security matters,

Emphasizing the importance of multilateralism in the process of disarmament, arms control, non-proliferation and related international security matters,

Taking note of the report of the Open-ended Working Group to consider the objectives and agenda, including the possible establishment of the preparatory committee, for the fourth special session of the General Assembly devoted to disarmament,[50]

1. *Decides* to establish an open-ended working group, working on the basis of consensus, to consider the objectives and agenda, including the possible establishment of the preparatory committee, for the fourth special session of the General Assembly devoted to disarmament, taking note of the paper presented by the Chairman of Working Group II during the 1999 substantive session of the Disarmament Commission[51] and the written proposals and views submitted by Member States as contained in the working papers presented during the three substantive sessions of the Open-ended Working Group in 2003,[52] as well as the reports of the Secretary-General regarding the views of Member States on the objectives, agenda and timing of the fourth special session of the General Assembly devoted to disarmament;[53]

2. *Requests* the Open-ended Working Group to hold an organizational session in order to set the dates for its substantive sessions in 2006, and to submit a report on its work, including possible substantive recommendations, before the end of the sixtieth session of the General Assembly;

3. *Requests* the Secretary-General, within existing resources, to provide the Open-ended Working Group with the necessary assistance and services as may be required to discharge its tasks;

4. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Convening of the fourth special session of the General Assembly devoted to disarmament".

RESOLUTION 59/72

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[54]

59/72. Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions on the subject of chemical weapons, in particular resolution 58/52 of 8 December 2003, adopted without a vote, in which it noted with appreciation the ongoing work to achieve the objective and purpose of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,[55]

Determined to achieve the effective prohibition of the development, production, acquisition, transfer, stockpiling and use of chemical weapons and their destruction,

Noting with satisfaction that, since the adoption of resolution 58/52, nine additional States have ratified the Convention or acceded to it, bringing the total number of States parties to the Convention to one hundred and sixty-seven,

Reaffirming the importance of the outcome of the First Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, including the Political Declaration,[56] in which the States parties reaffirmed their commitment to achieving the objective and purpose of the Convention, and the final report,[57] which addressed all aspects of the Convention and made important recommendations on its continued implementation,

1. *Emphasizes* that the universality of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[55] is fundamental to the achievement of its objective and purpose, and acknowledges progress made in the implementation of the action plan for the universality of the Convention, and calls upon all States that have not yet done so to become parties to the Convention without delay;

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[49] See resolution 55/2.

[50] A/57/848.

[51] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex II.

[52] See A/AC.268/2003/WP.2.

[53] A/55/130 and Add.1, A/56/166 and A/57/120.

[54] The draft resolution recommended in the report was sponsored in the Committee by Poland.

[55] United Nations, *Treaty Series*, vol. 1974, No. 33757.

[56] See Organization for the Prohibition of Chemical Weapons, document RC-1/3.

[57] Ibid., document RC-1/5.

2. *Underlines* that the Convention and its implementation contribute to enhancing international peace and security, and emphasizes that its full, universal and effective implementation will contribute further to that purpose by excluding completely, for the sake of all humankind, the possibility of the use of chemical weapons;

3. *Stresses* that the full and effective implementation of all provisions of the Convention is in itself an important contribution to the efforts of the United Nations in the global fight against terrorism in all its forms and manifestations;

4. *Also stresses* the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities, including previously declared possessor States, should be among the States parties to the Convention, and welcomes progress to that end;

5. *Notes* that the effective application of the verification system builds confidence in compliance with the Convention by States parties;

6. *Stresses* the importance of the Organization for the Prohibition of Chemical Weapons in verifying compliance with the provisions of the Convention as well as in promoting the timely and efficient accomplishment of all its objectives;

7. *Urges* all States parties to the Convention to meet in full and on time their obligations under the Convention and to support the Organization for the Prohibition of Chemical Weapons in its implementation activities;

8. *Reaffirms* the undertaking of the States parties to foster international cooperation for peaceful purposes in the field of chemical activities of the States parties and the importance of that cooperation and its contribution to the promotion of the Convention as a whole;

9. *Notes with appreciation* the ongoing work of the Organization for the Prohibition of Chemical Weapons to achieve the objective and purpose of the Convention, to ensure the full implementation of its provisions, including those for international verification of compliance with it, and to provide a forum for consultation and cooperation among States parties, and also notes with appreciation progress made in the implementation of the plan of action regarding the implementation of article VII obligations;

10. *Welcomes* the cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons within the framework of the Relationship Agreement between the United Nations and the Organization, in accordance with the provisions of the Convention;

11. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

RESOLUTION 59/73

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[58]

59/73. Mongolia's international security and nuclear-weapon-free status

The General Assembly,

Recalling its resolutions 53/77 D of 4 December 1998, 55/33 S of 20 November 2000 and 57/67 of 22 November 2002,

Recalling also the purposes and principles of the Charter of the United Nations, as well as the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[59]

Bearing in mind its resolution 49/31 of 9 December 1994 on the protection and security of small States,

Proceeding from the fact that nuclear-weapon-free status is one of the means of ensuring the national security of States,

Convinced that the internationally recognized status of Mongolia will contribute to enhancing stability and confidence-building in the region as well as promote Mongolia's security by strengthening its independence, sovereignty and territorial integrity, the inviolability of its borders and the preservation of its ecological balance,

Taking note of the adoption by the Mongolian parliament of legislation defining and regulating its nuclear-weapon-free status[60] as a concrete step towards promoting the aims of nuclear non-proliferation,

Bearing in mind the joint statement of the five nuclear-weapon States on security assurances to Mongolia in connection with its nuclear-weapon-free status[61] as a contribution to implementing resolution 53/77 D as well as their commitment to Mongolia to cooperate in the implementation of the resolution, in accordance with the principles of the Charter,

Noting that the joint statement has been transmitted to the Security Council by the five nuclear-weapon States,

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[58] The draft resolution recommended in the report was sponsored in the Committee by: Mongolia, Papua New Guinea and United States of America.

[59] Resolution 2625 (XXV), annex.

[60] See A/55/56-S/2000/160.

[61] A/55/530-S/2000/1052, annex.

Mindful that at the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Kuala Lumpur, from 20 to 25 February 2003,[62] the Heads of State or Government reiterated their support for Mongolia's nuclear-weapon-free status and considered that the institutionalization of that status would be an important measure towards strengthening the non-proliferation regime in the region,

Noting other measures taken to implement resolution 57/67 at the national and international levels,

Welcoming Mongolia's active and positive role in developing peaceful, friendly and mutually beneficial relations with the States of the region and other States,

Having considered the report of the Secretary-General on Mongolia's international security and nuclear-weapon-free status,[63]

1. *Takes note* of the report of the Secretary-General on the implementation of resolution 57/67;[63]

2. *Expresses its appreciation* to the Secretary-General for the efforts to implement resolution 57/67, in particular the completion of the two studies on the non-nuclear aspects of Mongolia's international security;[64]

3. *Endorses and supports* Mongolia's good-neighbourly and balanced relationship with its neighbours as an important element of strengthening regional peace, security and stability;

4. *Welcomes* the efforts made by Member States to cooperate with Mongolia in implementing resolution 57/67, as well as the progress made in consolidating Mongolia's international security;

5. *Invites* Member States to continue to cooperate with Mongolia in taking the necessary measures to consolidate and strengthen Mongolia's independence, sovereignty and territorial integrity, the inviolability of its borders, its independent foreign policy, its economic security, and its ecological balance, as well as its nuclear-weapon-free status;

6. *Appeals* to the Member States of the Asia and Pacific region to support Mongolia's efforts to join the relevant regional security and economic arrangements;

7. *Requests* the Secretary-General and relevant United Nations bodies to continue to provide assistance to Mongolia in taking the necessary measures mentioned in paragraph 5 above;

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Mongolia's international security and nuclear-weapon-free status".

RESOLUTION 59/74

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[65]

59/74. Assistance to States for curbing the illicit traffic in small arms and collecting them

The General Assembly,

Recalling its resolution 58/58 of 8 December 2003 on assistance to States for curbing the illicit traffic in small arms and collecting them,

Considering that the illicit proliferation and circulation of and traffic in small arms impede development, constitute a threat to populations and to national and regional security and are a factor contributing to the destabilization of States,

Deeply disturbed by the magnitude of the illicit proliferation and circulation of and traffic in small arms in the States of the Sahelo-Saharan subregion,

Noting with satisfaction the conclusions of the United Nations advisory missions dispatched by the Secretary-General to the affected countries of the subregion to study the most appropriate way of halting the illicit circulation of small arms and collecting them,

Welcoming the designation of the Department for Disarmament Affairs of the Secretariat as a centre for the coordination of all activities of United Nations bodies concerned with small arms,

Congratulating the Secretary-General for his report on the causes of conflict and the promotion of durable peace and sustainable development in Africa,[66] and bearing in mind the statement on small arms made by the President of the Security Council on 24 September 1999,[67]

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[62] See A/57/759-S/2003/332, annex I.

[63] A/59/364.

[64] Ibid., sect. III.

[65] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Austria, Belgium, Benin, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Côte d'Ivoire, Cyprus, Denmark, Djibouti, El Salvador, Equatorial Guinea, Eritrea, Fiji, France, Gabon, Gambia, Ghana, Greece, Guinea, Guinea-Bissau, Haiti, Hungary, Ireland, Italy, Japan, Kenya, Liberia, Malawi, Mali (on behalf of the States Members of the United Nations which are members of the Economic Community of West African States), Malta, Mauritius, Netherlands, Niger, Nigeria, Norway, Philippines, Poland, Portugal, San Marino, Senegal, Sierra Leone, Slovakia, Somalia, Spain, Sweden, Switzerland, Togo, United Kingdom of Great Britain and Northern Ireland and Zimbabwe.

[66] A/52/871-S/1998/318.

[67] S/PRST/1999/28; see *Resolutions and Decisions of the Security Council, 1999*.

Welcoming the recommendations resulting from the meetings of the States of the subregion held at Banjul, Algiers, Bamako, Yamoussoukro and Niamey to establish close regional cooperation with a view to strengthening security,

Welcoming also the decision taken by the Economic Community of West African States to renew the Declaration of a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa, adopted by the Heads of State and Government of the Economic Community at Abuja on 31 October 1998,[68]

Recalling the Algiers Declaration adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-fifth ordinary session, held at Algiers from 12 to 14 July 1999,[69]

Emphasizing the need to advance efforts towards wider cooperation and better coordination in the struggle against the illicit proliferation of small arms through the common understanding reached at the meeting on small arms held at Oslo on 13 and 14 July 1998[70] and the Brussels Call for Action adopted by the International Conference on Sustainable Disarmament for Sustainable Development, held at Brussels on 12 and 13 October 1998,[71]

Bearing in mind the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, adopted at Bamako on 1 December 2000,[72]

Recalling the millennium report of the Secretary-General,[73]

Welcoming the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[74] and calling for its expeditious implementation,

Recognizing the important role that the organizations of civil society play in detection, prevention and raising public awareness, in efforts to curb the illicit traffic in small arms,

Welcoming the convening of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, which held its first session in New York from 14 to 25 June 2004,

1. *Notes with satisfaction* the Declaration of the Ministerial Conference on Security, Stability, Development and Cooperation in Africa, held at Abuja on 8 and 9 May 2000,[75] and encourages the Secretary-General to pursue his efforts in the context of the implementation of General Assembly resolution 49/75 G of 15 December 1994 and the recommendations of the United Nations advisory missions, aimed at curbing the illicit circulation of small arms and collecting such arms in the affected States that so request, with the support of the United Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the African Union;

2. *Encourages* the international community to support the implementation of the moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa;[68]

3. *Encourages* the establishment in the countries of the Sahelo-Saharan subregion of national commissions to combat the illicit proliferation of small arms, and invites the international community to lend its support wherever possible to ensure the smooth functioning of the commissions;

4. *Also encourages* the involvement of organizations and associations of civil society in the efforts of the national commissions to combat the illicit traffic in small arms and their participation in the implementation of the moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa as well as in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;[74]

5. *Further encourages* cooperation among State organs, international organizations and civil society in combating the illicit traffic in small arms and supporting operations to collect the said arms in the subregions;

6. *Calls upon* the international community to provide technical and financial support to strengthen the capacity of civil organizations to take action to combat the illicit trade in small arms;

7. *Takes note* of the conclusions of the meeting of Ministers for Foreign Affairs of the Economic Community of West African States, held at Bamako on 24 and 25 March 1999, on the modalities for the implementation of the Programme for Coordination and Assistance for Security and Development, and welcomes the adoption by the meeting of a plan of action;

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[68] A/53/763-S/1998/1194, annex.

[69] A/54/424, annex II, decision AHG/Decl. 1 (XXXV).

[70] See CD/1556.

[71] A/53/681, annex.

[72] A/CONF.192/PC/23, annex.

[73] A/54/2000.

[74] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[75] A/55/286, annex II, decision AHG/Decl. 4 (XXXVI).

8. *Takes note also* of the conclusions of the African Conference on the Implementation of the United Nations Programme of Action on Small Arms: Needs and Partnerships, held at Pretoria from 18 to 21 March 2002;

9. *Invites* the Secretary-General and those States and organizations that are in a position to do so to provide assistance to States for curbing the illicit traffic in small arms and collecting them;

10. *Requests* the Secretary-General to continue to consider the matter and to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Assistance to States for curbing the illicit traffic in small arms and collecting them".

RESOLUTION 59/75

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[76] by a recorded vote of 151 to 6, with 24 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Republic of Moldova, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: France, Israel, Latvia, Palau, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Australia, Belarus, Bosnia and Herzegovina, Bulgaria, Czech Republic, Denmark, Estonia, Georgia, Greece, Hungary, Iceland, India, Italy, Poland, Portugal, Romania, Russian Federation, Serbia and Montenegro, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Uzbekistan

59/75. Accelerating the implementation of nuclear disarmament commitments

The General Assembly,

Recalling its resolution 58/51 of 8 December 2003, and mindful of the upcoming 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Expressing its grave concern at the danger to humanity posed by the possibility that nuclear weapons could be used and at the lack of implementation of binding obligations and agreed steps towards nuclear disarmament, and reaffirming that nuclear disarmament and nuclear non-proliferation are mutually reinforcing processes requiring urgent irreversible progress on both fronts,

Recalling the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, in accordance with commitments made under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,[77] and noting that the ultimate objective of the disarmament process is general and complete disarmament under strict and effective international control,

1. *Calls upon* all States to comply fully with commitments made regarding nuclear disarmament and nuclear non-proliferation and not to act in any way that may be detrimental to nuclear disarmament and non-proliferation or that may lead to a new nuclear arms race;

2. *Also calls upon* all States to spare no efforts to achieve universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons[77] and the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty;[78]

3. *Calls upon* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to accelerate the implementation of the practical steps for systematic and progressive efforts to achieve nuclear disarmament that were agreed upon at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;[79]

4. *Calls upon* the nuclear-weapon States to take further steps to reduce their non-strategic nuclear arsenals and not to develop new types of nuclear weapons, in accordance with their

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[76] The draft resolution recommended in the report was sponsored in the Committee by: Austria, Brazil, Costa Rica, Côte d'Ivoire, Ecuador, Egypt, El Salvador, Ireland, Liberia, Malta, Mexico, New Zealand, Samoa, South Africa, Sweden and Ukraine.

[77] United Nations, *Treaty Series*, vol. 729, No. 10485.

[78] See resolution 50/245.

[79] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I.

commitment to diminish the role of nuclear weapons in their security policies;

5. *Agrees* urgently to strengthen efforts towards both nuclear disarmament and nuclear non-proliferation through the resumption in the Conference on Disarmament of negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the statement of the Special Coordinator in 1995[80] and the mandate contained therein, taking into account both nuclear disarmament and nuclear non-proliferation objectives, as well as the completion and implementation of arrangements by all nuclear-weapon States to place fissile material no longer required for military purposes under international verification;

6. *Calls for* the establishment of an appropriate subsidiary body in the Conference on Disarmament to deal with nuclear disarmament;

7. *Underlines* the imperative of the principles of irreversibility and transparency for all nuclear disarmament measures and the need to develop further adequate and efficient verification capabilities;

8. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments", and to review the implementation of the present resolution at that session.

RESOLUTION 59/76

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[81] by a recorded vote of 165 to 3, with 16 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: India, Palau, United States of America

Abstaining: Bhutan, Brazil, China, Cuba, Democratic People's Republic of Korea, Egypt, Iran (Islamic Republic of), Ireland, Israel, Malta, Mexico, Myanmar, New Zealand, Pakistan, South Africa, Sweden

59/76. A path to the total elimination of nuclear weapons

The General Assembly,

Recalling its resolutions 49/75 H of 15 December 1994, 50/70 C of 12 December 1995, 51/45 G of 10 December 1996, 52/38 K of 9 December 1997, 53/77 U of 4 December 1998, 54/54 D of 1 December 1999, 55/33 R of 20 November 2000, 56/24 N of 29 November 2001, 57/78 of 22 November 2002 and 58/59 of 8 December 2003,

Recognizing that the enhancement of international peace and security and the promotion of nuclear disarmament mutually complement and strengthen each other,

Expressing deep concern regarding the growing dangers posed by the proliferation of weapons of mass destruction, including that caused by proliferation networks,

Welcoming the decision of the Libyan Arab Jamahiriya, announced on 19 December 2003, to renounce all its weapons of mass destruction programmes,

Welcoming also the adoption of Security Council resolution 1540 (2004) of 28 April 2004 as an important step for global efforts to prevent the proliferation of weapons of mass destruction,

Convinced that every effort should be made to avoid nuclear war and nuclear terrorism,

Reaffirming the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons[82] as the cornerstone of the international regime for nuclear non-proliferation and as an essential foundation for the pursuit of nuclear disarmament,

Bearing in mind that challenges to the Treaty and to the nuclear non-proliferation regime have further increased the necessity of full compliance and that the Treaty can fulfil its role only if there is confidence in compliance by all States parties,

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[80] See CD/1299.

[81] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Australia, Bangladesh, Belgium, Chile, Côte d'Ivoire, Ecuador, El Salvador, Fiji, Guatemala, Guinea-Bissau, Italy, Japan, Luxembourg, Nepal, Netherlands, Nicaragua, Niger, Norway, Palau, Papua New Guinea, Samoa, Spain, Switzerland, Ukraine, Uruguay, Uzbekistan and Zambia.

[82] United Nations, *Treaty Series*, vol. 729, No. 10485.

Recognizing the progress made by the nuclear-weapon States in the reduction of their nuclear weapons unilaterally or through their negotiations, including the entry into force of the Treaty between the United States of America and the Russian Federation on Strategic Offensive Reductions,[83] which should serve as a step for further nuclear disarmament, and the efforts for nuclear disarmament and non-proliferation by the international community,

Welcoming the ongoing efforts aimed at the reduction of nuclear-weapons- related materials deployed within the framework of international cooperation, such as the Cooperative Threat Reduction programme,

Reaffirming the conviction that further advancement in nuclear disarmament will contribute to consolidating the international regime for nuclear non-proliferation, ensuring international peace and security,

Welcoming the continuation of a moratorium on nuclear-weapon-test explosions or any other nuclear explosions since the last nuclear tests, in 1998,

Welcoming also the successful adoption of the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[84] and stressing the importance of implementing its conclusions,

Recognizing the active discussions at the third session, held from 26 April to 7 May 2004, of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and emphasizing the importance of a successful Review Conference in 2005, the year of the sixtieth anniversary of the atomic bombings,

Welcoming the steady increase in the number of States that have signed and/or concluded additional protocols to their International Atomic Energy Agency safeguards agreements in recent years, and sharing the hope that the Agency's safeguards system will be further strengthened through the universalization of safeguards agreements and the additional protocols,

Encouraging the Russian Federation and the United States of America to implement fully the Treaty on Strategic Offensive Reductions and to continue their intensive consultations in accordance with the Joint Declaration on the New Strategic Relationship between the two States,[83]

Welcoming the Final Declaration of the third Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, convened in Vienna from 3 to 5 September 2003[85] in accordance with article XIV of the Treaty,[86] and the Joint Ministerial Statement of the second meeting of Friends of the Comprehensive Nuclear-Test-Ban Treaty in September 2004,

Encouraging all States to make maximum efforts to bring about the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, progress on which would contribute to a positive outcome of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing the importance of preventing terrorists from acquiring or developing nuclear weapons or related materials, radioactive materials, equipment and technology, and underlining the role of the International Atomic Energy Agency in this regard,

Stressing the importance of education on disarmament and non-proliferation for future generations and of efforts to tackle the current non-proliferation and disarmament problems,

1. *Reaffirms* the importance of achieving the universality of the Treaty on the Non-Proliferation of Nuclear Weapons,[82] and calls upon States not parties to the Treaty to accede to it as non-nuclear-weapon States without delay and without conditions;

2. *Also reaffirms* the importance for all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to fulfil their obligations under the Treaty;

3. *Stresses* the central importance of the following practical steps for the systematic and progressive efforts to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, and paragraphs 3 and 4 (*c*) of the decision on principles and objectives for nuclear non-proliferation and disarmament of the 1995 Review and Extension Conference of the Parties to the Treaty:[87]

(*a*) The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty[86] as well as a moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending the entry into force of that Treaty;

(*b*) The establishment of an ad hoc committee in the Conference on Disarmament as early as possible during its 2005 session to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the report of the Special Coordinator of 1995[88] and the mandate contained therein, taking into consideration both nuclear disarmament and non-proliferation objectives, with a view to its conclusion within five years and, pending its entry into force, a moratorium on the production of fissile material for nuclear weapons;

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[83] See CD/1674.

[84] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vols. I–III (NPT/CONF.2000/28 (Parts I–IV)).

[85] CTBT-Art.XIV/2003/5, annex I.

[86] See resolution 50/245.

[87] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, Part I (NPT/CONF.1995/32 (Part I) and Corr.2), annex, decision 2.

(*c*) The establishment of an appropriate subsidiary body with a mandate to deal with nuclear disarmament in the Conference on Disarmament as early as possible during its 2005 session in the context of establishing a programme of work;

(*d*) The inclusion of the principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures;

(*e*) An unequivocal undertaking by the nuclear-weapon States, as agreed at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, to which all States parties to the Treaty are committed under article VI of the Treaty;

(*f*) Deep reductions by the Russian Federation and the United States of America in their strategic offensive arsenals, while placing great importance on the existing multilateral treaties, with a view to maintaining and strengthening strategic stability and international security;

(*g*) Steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:

(i) Further efforts by all the nuclear-weapon States to continue to reduce their nuclear arsenals unilaterally;

(ii) Increased transparency by the nuclear-weapon States with regard to their nuclear weapons capabilities and the implementation of agreements pursuant to article VI of the Treaty and as voluntary confidence-building measures to support further progress on nuclear disarmament;

(iii) The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

(iv) Concrete agreed measures to reduce further the operational status of nuclear weapons systems;

(v) A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

(vi) The engagement, as soon as appropriate, of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons;

(*h*) Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control;

4. *Recognizes* that the realization of a world free of nuclear weapons will require further steps, including deeper reductions in all types of nuclear weapons by all the nuclear-weapon States in the process of working towards achieving their elimination;

5. *Invites* the nuclear-weapon States to keep the Members of the United Nations duly informed of the progress or efforts made towards nuclear disarmament;

6. *Encourages* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to make maximum efforts for a successful Review Conference in 2005;

7. *Welcomes* the ongoing efforts in the dismantlement of nuclear weapons, notes the importance of the safe and effective management of the resultant fissile materials, and calls for arrangements by all the nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under International Atomic Energy Agency or other relevant international verification and arrangements for the disposition of such material for peaceful purposes to ensure that such material remains permanently outside of military programmes;

8. *Stresses* the importance of further development of the verification capabilities, including International Atomic Energy Agency safeguards and Comprehensive Nuclear-Test-Ban Treaty verification regimes, that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world;

9. *Calls upon* all States to redouble their efforts to prevent and curb the proliferation of nuclear and other weapons of mass destruction, confirming and strengthening, if necessary, their policies not to transfer equipment, materials or technology that could contribute to the proliferation of those weapons, while ensuring that such policies are consistent with the obligations of States under the Treaty on the Non-Proliferation of Nuclear Weapons;

10. *Also calls upon* all States to maintain the highest possible standards of security, safe custody, effective control and physical protection of all materials that could contribute to the proliferation of nuclear and other weapons of mass destruction

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[88] CD/1299.

in order, inter alia, to prevent those materials from falling into the hands of terrorists;

11. *Welcomes* the adoption of resolution GC(48)/RES/14 on 24 September 2004 by the General Conference of the International Atomic Energy Agency,[89] in which it is recommended that States members of the Agency continue to consider implementing the elements of the plan of action outlined in resolution GC(44)/RES/19, adopted on 22 September 2000 by the General Conference of the Agency,[90] and in the Agency's updated plan of action of February 2004, with the aim of facilitating the entry into force of comprehensive safeguards agreements and additional protocols, and calls for the early and full implementation of that resolution;

12. *Encourages* all States to implement, as appropriate, the recommendations in the report of the Secretary-General on the United Nations study on disarmament and non-proliferation education, submitted to the General Assembly at its fifty-seventh session,[91] and voluntarily to share information on efforts they have been undertaking to that end;

13. *Encourages* the constructive role played by civil society in promoting nuclear non-proliferation and nuclear disarmament.

RESOLUTION 59/77

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[92] by a recorded vote of 117 to 43, with 21 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Micronesia (Federated States of), Monaco, Netherlands, Norway, Palau, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, Georgia, Haiti, India, Ireland, Japan, Kazakhstan, Kyrgyzstan, Malta, Mauritius, Pakistan, Republic of Korea, Republic of Moldova, Russian Federation, Sweden, Tajikistan, Ukraine, Uzbekistan

59/77. Nuclear disarmament

The General Assembly,

Recalling its resolution 49/75 E of 15 December 1994 on a step-by-step reduction of the nuclear threat, and its resolutions 50/70 P of 12 December 1995, 51/45 O of 10 December 1996, 52/38 L of 9 December 1997, 53/77 X of 4 December 1998, 54/54 P of 1 December 1999, 55/33 T of 20 November 2000, 56/24 R of 29 November 2001, 57/79 of 22 November 2002 and 58/56 of 8 December 2003 on nuclear disarmament,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the establishment of a nuclear-weapon-free world,

Bearing in mind that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 1972[93] and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 1993[94] have already established legal regimes on the complete prohibition of biological and chemical weapons, respectively, and determined to achieve a nuclear weapons convention on the prohibition of the development, testing, production, stockpiling, loan, transfer, use and threat of use of nuclear weapons and on their destruction, and to conclude such an international convention at an early date,

Recognizing that there now exist conditions for the establishment of a world free of nuclear weapons, and stressing the need to take concrete practical steps towards achieving this goal,

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[89] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-eighth Regular Session, 20–24 September 2004* (GC(48)/RES/DEC (2004)).

[90] Ibid., *Forty-fourth Regular Session, 18–22 September 2000* (GC(44)/RES/DEC (2000)).

[91] A/57/124.

[92] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bangladesh, Bhutan, Brunei Darussalam, Burkina Faso, Cambodia, Colombia, Congo, Côte d'Ivoire, Dominican Republic, Ecuador, El Salvador, Ghana, Guinea, Haiti, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Malaysia, Mongolia, Myanmar, Namibia, Nauru, Nepal, Papua New Guinea, Philippines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Thailand, Timor-Leste, Uganda, United Republic of Tanzania, Uruguay, Viet Nam, Zambia and Zimbabwe.

[93] Resolution 2826 (XXVI), annex.

[94] United Nations, *Treaty Series*, vol. 1974, No. 33757.

Bearing in mind paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly,[95] the first special session devoted to disarmament, calling for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time frames, wherever feasible, for the progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

Reaffirming the conviction of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[96] that the Treaty is a cornerstone of nuclear non-proliferation and nuclear disarmament and the importance of the decision on strengthening the review process for the Treaty,[97] the decision on principles and objectives for nuclear non proliferation and disarmament,[97] the decision on the extension of the Treaty[97] and the resolution on the Middle East,[97] adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Stressing the importance of the thirteen steps for the systematic and progressive efforts to achieve the objective of nuclear disarmament leading to the total elimination of nuclear weapons, as agreed to by the States parties in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[98]

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

Reiterating its call for an early entry into force of the Comprehensive Nuclear-Test-Ban Treaty,[99]

Stressing the importance of the forthcoming 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the need for a positive and substantive outcome of the Conference in a manner that will preserve the integrity of the three pillars of the Treaty regime, that is, nuclear disarmament, nuclear non-proliferation and peaceful uses of nuclear energy,

Noting with appreciation the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I),[100] to which Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America are States parties,

Noting with appreciation also the entry into force of the Treaty between the United States of America and the Russian Federation on Strategic Offensive Reductions ("the Moscow Treaty")[101] as a significant step towards reducing their deployed strategic nuclear weapons, while calling for further irreversible deep cuts in their nuclear arsenals,

Noting with appreciation further the unilateral measures taken by the nuclear-weapon States for nuclear arms limitation, and encouraging them to take further such measures,

Recognizing the complementarity of bilateral, plurilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the multilateral efforts in the Conference on Disarmament to reach agreement on such an international convention at an early date,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[102] and welcoming the unanimous reaffirmation by all Judges of the Court that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Mindful of paragraph 74 and other relevant recommendations in the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held at Kuala Lumpur from 20 to 25 February 2003,[103] calling upon the Conference on Disarmament to establish, as soon as possible and as the highest priority, an ad hoc committee on nuclear disarmament and to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

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[95] Resolution S-10/2.

[96] United Nations, *Treaty Series*, vol. 729, No. 10485.

[97] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, Part I (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

[98] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15.

[99] See resolution 50/245.

[100] *The United Nations Disarmament Yearbook*, vol. 16: 1991 (United Nations publication, Sales No. E.92.IX.1), appendix II.

[101] See CD/1674.

[102] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[103] A/57/759-S/2003/332, annex I.

Recalling paragraph 61 of the Final Document of the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Durban, South Africa, from 17 to 19 August 2004,

Reaffirming the specific mandate conferred by the General Assembly in its decision 52/492 of 8 September 1998 upon the Disarmament Commission to discuss the subject of nuclear disarmament as one of its main substantive agenda items,

Recalling the United Nations Millennium Declaration,[104] in which Heads of State and Government resolve to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

Reaffirming that, in accordance with the Charter of the United Nations, States should refrain from the use or the threat of use of nuclear weapons in settling their disputes in international relations,

Seized of the danger of the use of weapons of mass destruction, particularly nuclear weapons, in terrorist acts and the urgent need for concerted international efforts to control and overcome it,

1. *Recognizes* that, in view of recent political developments, the time is now opportune for all the nuclear-weapon States to take effective disarmament measures with a view to achieving the elimination of these weapons;

2. *Reaffirms* that nuclear disarmament and nuclear non-proliferation are substantively interrelated and mutually reinforcing, that the two processes must go hand in hand and that there is a genuine need for a systematic and progressive process of nuclear disarmament;

3. *Welcomes and encourages* the efforts to establish new nuclear-weapon-free zones in different parts of the world on the basis of agreements or arrangements freely arrived at among the States of the regions concerned, which is an effective measure for limiting the further spread of nuclear weapons geographically and contributes to the cause of nuclear disarmament;

4. *Recognizes* that there is a genuine need to diminish the role of nuclear weapons in strategic doctrines and security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

5. *Urges* the nuclear-weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems;

6. *Also urges* the nuclear-weapon States, as an interim measure, to de-alert and deactivate immediately their nuclear weapons and to take other concrete measures to reduce further the operational status of their nuclear-weapon systems;

7. *Reiterates its call upon* the nuclear-weapon States to undertake the step-by-step reduction of the nuclear threat and to carry out effective nuclear disarmament measures with a view to achieving the total elimination of these weapons;

8. *Calls upon* the nuclear-weapon States, pending the achievement of the total elimination of nuclear weapons, to agree on an internationally and legally binding instrument on a joint undertaking not to be the first to use nuclear weapons, and calls upon all States to conclude an internationally and legally binding instrument on security assurances of non-use and non-threat of use of nuclear weapons against non-nuclear-weapon States;

9. *Urges* the nuclear-weapon States to commence plurilateral negotiations among themselves at an appropriate stage on further deep reductions of nuclear weapons as an effective measure of nuclear disarmament;

10. *Underlines* the importance of applying the principle of irreversibility to the process of nuclear disarmament, nuclear and other related arms control and reduction measures;

11. *Underscores* the importance of the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in New York from 24 April to 19 May 2000, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI of the Treaty,[105] and the reaffirmation by the States parties that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons;[106]

12. *Calls for* the full and effective implementation of the thirteen steps for nuclear disarmament contained in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;[98]

13. *Urges* the nuclear-weapon States to carry out further reductions of non-strategic nuclear weapons, based on unilateral

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[104] See resolution 55/2.

[105] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15:6.

[106] Ibid., section entitled "Article VII and the security of non-nuclear weapon States", para. 2.

initiatives and as an integral part of the nuclear arms reduction and disarmament process;

14. *Calls for* the immediate commencement of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices on the basis of the report of the Special Coordinator[107] and the mandate contained therein;

15. *Urges* the Conference on Disarmament to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years;

16. *Calls for* the conclusion of an international legal instrument or instruments on adequate security assurances to non-nuclear-weapon States;

17. *Also calls for* the early entry into force and strict observance of the Comprehensive Nuclear-Test-Ban Treaty;[99]

18. *Expresses its regret* that the Conference on Disarmament was unable to establish an ad hoc committee on nuclear disarmament at its 2004 session, as called for in General Assembly resolution 58/56;

19. *Reiterates its call upon* the Conference on Disarmament to establish, on a priority basis, an ad hoc committee to deal with nuclear disarmament early in 2005 and to commence negotiations on a phased programme of nuclear disarmament leading to the eventual total elimination of nuclear weapons;

20. *Calls for* the convening of an international conference on nuclear disarmament in all its aspects at an early date to identify and deal with concrete measures of nuclear disarmament;

21. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

22. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Nuclear disarmament".

RESOLUTION 59/78

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[108] by a recorded vote of 180 to 2, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Palau, United States of America

Abstaining: France, Israel

59/78. Relationship between disarmament and development

The General Assembly,

Recalling that the Charter of the United Nations envisages the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources,

Recalling also the provisions of the Final Document of the Tenth Special Session of the General Assembly concerning the relationship between disarmament and development,[109] as well as the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development,[110]

Recalling further its resolutions 49/75 J of 15 December 1994, 50/70 G of 12 December 1995, 51/45 D of 10 December 1996, 52/38 D of 9 December 1997, 53/77 K of 4 December 1998, 54/54 T of 1 December 1999, 55/33 L of 20 November 2000, 56/24 E of 29 November 2001 and 57/65 of

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[107] CD/1299.

[108] The draft resolution recommended in the report was sponsored in the Committee by Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[109] See resolution S-10/2.

[110] United Nations publication, Sales No. E.87.IX.8.

22 November 2002, and its decision 58/520 of 8 December 2003,

Bearing in mind the Final Document of the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held in Durban, South Africa, from 29 August to 3 September 1998,[111] and the Final Document of the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Cartagena, Colombia, on 8 and 9 April 2000,[112]

Mindful of the changes in international relations that have taken place since the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development, including the development agenda that has emerged over the past decade,

Bearing in mind the new challenges for the international community in the field of development, poverty eradication and the elimination of the diseases that afflict humanity,

Stressing the importance of the symbiotic relationship between disarmament and development and the important role of security in this connection, and concerned at increasing global military expenditure, which could otherwise be spent on development needs,

1. *Welcomes* the report of the Group of Governmental Experts on the relationship between disarmament and development[113] and its reappraisal of this significant issue in the current international context;

2. *Stresses* the central role of the United Nations in the disarmament-development relationship, and requests the Secretary-General to strengthen further the role of the Organization in this field, in particular the high-level Steering Group on Disarmament and Development, in order to assure continued and effective coordination and close cooperation between the relevant United Nations departments, agencies and sub-agencies;

3. *Requests* the Secretary-General to continue to take action, through appropriate organs and within available resources, for the implementation of the action programme adopted at the 1987 International Conference on the Relationship between Disarmament and Development;[110]

4. *Urges* the international community to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever widening gap between developed and developing countries;

5. *Encourages* the international community to achieve the Millennium Development Goals and to make reference to the contribution that disarmament could provide in meeting them when it reviews its progress towards this purpose in 2005, as well as to make greater efforts to integrate disarmament, humanitarian and development activities;

6. *Encourages* the relevant regional and subregional organizations and institutions, non-governmental organizations and research institutes to incorporate issues related to the relationship between disarmament and development in their agendas and, in this regard, to take into account the report of the Group of Governmental Experts;

7. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Relationship between disarmament and development".

RESOLUTION 59/79

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[114] by a recorded vote of 116 to 46, with 18 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland,

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[111] A/53/667-S/1998/1071, annex I.

[112] A/54/917-S/2000/580, annex.

[113] See A/59/119.

[114] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Bangladesh, Bhutan, Cambodia, Cuba, Fiji, Haiti, India, Jordan, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mauritius, Namibia, Papua New Guinea, Sudan, Viet Nam and Zambia.

Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, China, Ecuador, Georgia, Israel, Japan, Kazakhstan, Kyrgyzstan, Paraguay, Republic of Korea, Republic of Moldova, Russian Federation, Tajikistan, Ukraine, Uzbekistan

59/79. Reducing nuclear danger

The General Assembly,

Bearing in mind that the use of nuclear weapons poses the most serious threat to mankind and to the survival of civilization,

Reaffirming that any use or threat of use of nuclear weapons would constitute a violation of the Charter of the United Nations,

Convinced that the proliferation of nuclear weapons in all its aspects would seriously enhance the danger of nuclear war,

Convinced also that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Considering that, until nuclear weapons cease to exist, it is imperative on the part of the nuclear-weapon States to adopt measures that assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Considering also that the hair-trigger alert of nuclear weapons carries unacceptable risks of unintentional or accidental use of nuclear weapons, which would have catastrophic consequences for all mankind,

Emphasizing the imperative need to adopt measures to avoid accidental, unauthorized or unexplained incidents arising from computer anomaly or other technical malfunctions,

Conscious that limited steps relating to detargeting have been taken by the nuclear-weapon States and that further practical, realistic and mutually reinforcing steps are necessary to contribute to the improvement in the international climate for negotiations leading to the elimination of nuclear weapons,

Mindful that reduction of tensions brought about by a change in nuclear doctrines would positively impact on international peace and security and improve the conditions for the further reduction and the elimination of nuclear weapons,

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly[115] and by the international community,

Recalling that in the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*[116] it is stated that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Recalling also the call in the United Nations Millennium Declaration[117] to seek to eliminate the dangers posed by weapons of mass destruction and the resolve to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

1. *Calls for* a review of nuclear doctrines and, in this context, immediate and urgent steps to reduce the risks of unintentional and accidental use of nuclear weapons;

2. *Requests* the five nuclear-weapon States to take measures towards the implementation of paragraph 1 above;

3. *Calls upon* Member States to take the necessary measures to prevent the proliferation of nuclear weapons in all its aspects and to promote nuclear disarmament, with the objective of eliminating nuclear weapons;

4. *Takes note* of the report of the Secretary-General submitted pursuant to paragraph 5 of General Assembly resolution 58/47 of 8 December 2003;[118]

5. *Requests* the Secretary-General to intensify efforts and support initiatives that would contribute towards the full implementation of the seven recommendations identified in the report of the Advisory Board on Disarmament Matters that would significantly reduce the risk of nuclear war,[119] and also to continue to encourage Member States to endeavour to create conditions that would allow the emergence of an international consensus to hold an international conference as proposed in the United Nations Millennium Declaration,[117] to identify ways of eliminating nuclear dangers, and to report thereon to the General Assembly at its sixtieth session;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Reducing nuclear danger".

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[115] Resolution S-10/2.

[116] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[117] See resolution 55/2.

[118] A/59/136.

[119] See A/56/400, para. 3.

RESOLUTION 59/80

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[120]

59/80. Measures to prevent terrorists from acquiring weapons of mass destruction

The General Assembly,

Recalling its resolution 58/48 of 8 December 2003,

Recognizing the determination of the international community to combat terrorism, as evident in relevant General Assembly and Security Council resolutions,

Deeply concerned by the growing risk of linkages between terrorism and weapons of mass destruction, and in particular by the fact that terrorists may seek to acquire weapons of mass destruction,

Taking note of Security Council resolution 1540 (2004) on the non-proliferation of weapons of mass destruction, adopted on 28 April 2004,

Noting the support expressed in the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, which was held in Kuala Lumpur from 20 to 25 February 2003,[121] and in the Final Document of the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, which was held in Durban, South Africa, from 17 to 19 August 2004, for measures to prevent terrorists from acquiring weapons of mass destruction,

Noting also that the Group of Eight, the European Union, the Regional Forum of the Association of Southeast Asian Nations and others have taken into account in their deliberations the dangers posed by the acquisition by terrorists of weapons of mass destruction, and the need for international cooperation in combating it,

Acknowledging the consideration of issues relating to terrorism and weapons of mass destruction by the Advisory Board on Disarmament Matters,[122]

Taking note of resolution GC(48)/RES/11, adopted on 24 September 2004 by the General Conference of the International Atomic Energy Agency at its forty-eighth regular session,[123] and the setting up of an Advisory Group on Security in the Agency to advise the Director General on the Agency's activities relating to nuclear security,

Taking note also of the report of the Policy Working Group on the United Nations and Terrorism,[124]

Taking note further of the report of the Secretary-General, submitted pursuant to paragraphs 2 and 4 of resolution 58/48,[125]

Mindful of the urgent need for addressing, within the United Nations framework and through international cooperation, this threat to humanity,

Emphasizing that progress is urgently needed in the area of disarmament and non-proliferation in order to help to maintain international peace and security and to contribute to global efforts against terrorism,

1. *Calls upon* all Member States to support international efforts to prevent terrorists from acquiring weapons of mass destruction and their means of delivery;

2. *Urges* all Member States to take and strengthen national measures, as appropriate, to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture, and invites them to inform the Secretary-General, on a voluntary basis, of the measures taken in this regard;

3. *Encourages* cooperation among and between Member States and relevant regional and international organizations for strengthening national capacities in this regard;

4. *Requests* the Secretary-General to compile a report on measures already taken by international organizations on issues relating to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction, to seek the views of Member States on additional relevant measures for tackling the global threat posed by the acquisition by terrorists of weapons of mass destruction, and to report to the General Assembly at its sixtieth session;

5. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Measures to prevent terrorists from acquiring weapons of mass destruction".

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[120] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Armenia, Austria, Belgium, Bhutan, Bulgaria, Colombia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Greece, Hungary, India, Ireland, Italy, Japan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Mauritius, Monaco, Myanmar, Namibia, Nepal, Sri Lanka, Netherlands, Norway, Papua New Guinea, Poland, Portugal, Russian Federation, Rwanda, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland.

[121] A/57/759-S/2003/332, annex I.

[122] See A/59/361.

[123] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-eighth Regular Session, 20–24 September 2004* (GC(48)/RES/DEC(2004)).

[124] A/57/273-S/2002/875, annex.

[125] A/59/156 and Add.1.

RESOLUTION 59/81

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[126] by a recorded vote of 179 to 2, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Palau, United States of America

Abstaining: Israel, United Kingdom of Great Britain and Northern Ireland

59/81. The Conference on Disarmament decision (CD/1547) of 11 August 1998 to establish, under item 1 of its agenda entitled "Cessation of the nuclear arms race and nuclear disarmament", an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

The General Assembly,

Recalling its resolutions 48/75 L of 16 December 1993, 53/77 I of 4 December 1998, 55/33 Y of 20 November 2000, 56/24 J of 29 November 2001, 57/80 of 22 November 2002 and 58/57 of 8 December 2003,

Convinced that a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices would be a significant contribution to nuclear disarmament and nuclear non-proliferation,

Recalling the 1998 report of the Conference on Disarmament, in which, inter alia, the Conference recorded that, in proceeding to take a decision on this matter, that decision was without prejudice to any further decisions on the establishment of further subsidiary bodies under agenda item 1 and that intensive consultations would be pursued to seek the views of the members of the Conference on Disarmament on appropriate methods and approaches for dealing with agenda item 1, taking into consideration all proposals and views in that respect,[127]

1. *Recalls* the decision of the Conference on Disarmament[127] to establish, under item 1 of its agenda entitled "Cessation of the nuclear arms race and nuclear disarmament", an ad hoc committee which shall negotiate, on the basis of the report of the Special Coordinator[128] and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices;

2. *Urges* the Conference on Disarmament to agree on a programme of work that includes the immediate commencement of negotiations on such a treaty.

RESOLUTION 59/82

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[129]

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[126] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Austria, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, Costa Rica, Côte d'Ivoire, Cyprus, Czech Republic, Ecuador, Finland, Germany, Greece, Grenada, Ireland, Italy, Kazakhstan, Kenya, Luxembourg, Malaysia, Malta, Mongolia, Morocco, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Republic of Korea, San Marino, Slovakia, South Africa, Spain, Sweden, Switzerland, Turkey and Venezuela (Bolivarian Republic of).

[127] See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 27* (A/53/27), para. 10.

[128] CD/1299.

[129] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Micronesia (Federated States of), Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Monaco, Mongolia, Mozambique, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia and Zimbabwe.

59/82. Consolidation of peace through practical disarmament measures

The General Assembly,

Recalling its resolutions 51/45 N of 10 December 1996, 52/38 G of 9 December 1997, 53/77 M of 4 December 1998, 54/54 H of 1 December 1999, 55/33 G of 20 November 2000, 56/24 P of 29 November 2001 and 57/81 of 22 November 2002 and its decision 58/519 of 8 December 2003, entitled "Consolidation of peace through practical disarmament measures",

Convinced that a comprehensive and integrated approach towards certain practical disarmament measures often is a prerequisite to maintaining and consolidating peace and security and thus provides a basis for effective post-conflict peace-building; such measures include: collection and responsible disposal, preferably through destruction, of weapons obtained through illicit trafficking or illicit manufacture as well as of weapons and ammunition declared by competent national authorities to be surplus to requirements, particularly with regard to small arms and light weapons, unless another form of disposition or use has been officially authorized and provided that such weapons have been duly marked and registered; confidence-building measures; disarmament, demobilization and reintegration of former combatants; demining; and conversion,

Noting with satisfaction that the international community is more than ever aware of the importance of such practical disarmament measures, especially with regard to the growing problems arising from the excessive accumulation and uncontrolled spread of small arms and light weapons, which pose a threat to peace and security and reduce the prospects for economic development in many regions, particularly in post-conflict situations,

Stressing that further efforts are needed in order to develop and effectively implement programmes of practical disarmament in affected areas as part of disarmament, demobilization and reintegration measures so as to complement, on a case-by-case basis, peacekeeping and peace-building efforts,

Taking note with appreciation of the report of the Secretary-General on prevention of armed conflict,[130] which, inter alia, refers to the role which the proliferation and the illicit transfer of small arms and light weapons play in the context of the build-up and sustaining of conflicts,

Taking note of the statement by the President of the Security Council of 31 August 2001[131] underlining the importance of practical disarmament measures in the context of armed conflicts, and, with regard to disarmament, demobilization and reintegration programmes, emphasizing the importance of measures to contain the security risks stemming from the use of illicit small arms and light weapons,

Also taking note of the report of the Secretary-General prepared with the assistance of the Group of Governmental Experts on Small Arms[132] and, in particular, the recommendations contained therein, as an important contribution to the consolidation of the peace process through practical disarmament measures,

Welcoming the work of the Coordinating Action on Small Arms, which was established by the Secretary-General to bring about a holistic and multidisciplinary approach to this complex and multifaceted global problem and to cooperate with non-governmental organizations in the implementation of practical disarmament measures,

Welcoming also the report of the First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 7 to 11 July 2003,[133] as well as the convening of the open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons,

1. *Stresses* the particular relevance of the "Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N",[134] adopted by the Disarmament Commission by consensus at its 1999 substantive session;

2. *Takes note* of the report of the Secretary-General on the consolidation of peace through practical disarmament measures, submitted pursuant to resolution 51/45 N,[135] and once again encourages Member States as well as regional arrangements and agencies to lend their support to the implementation of recommendations contained therein;

3. *Emphasizes* the importance of including in United Nations-mandated peacekeeping missions, as appropriate and with the consent of the host State, practical disarmament measures aimed at addressing the problem of the illicit trade in small arms and light weapons in conjunction with disarmament, demobilization and reintegration programmes aimed at former combatants, with a view to promoting an integrated

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[130] A/55/985-S/2001/574 and Corr.1.

[131] S/PRST/2001/21; see *Resolutions and Decisions of the Security Council, 1 January 2001–31 July 2002*.

[132] A/58/207.

[133] A/CONF.192/BMS/2003/1.

[134] See *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex III.

[135] A/52/289.

comprehensive and effective weapons management strategy that would contribute to a sustainable peace-building process;

4. *Welcomes* the activities undertaken by the Group of Interested States, and invites the Group to continue to analyse lessons learned from previous disarmament and peace-building projects, as well as to promote new practical disarmament measures to consolidate peace, especially as undertaken or designed by affected States themselves, regional and subregional organizations as well as United Nations agencies;

5. *Encourages* Member States, including the Group of Interested States, to lend their support to the Secretary-General, relevant international, regional and subregional organizations, in accordance with Chapter VIII of the Charter of the United Nations, and non-governmental organizations in responding to requests by Member States to collect and destroy small arms and light weapons in post-conflict situations;

6. *Welcomes* the synergies within the multi-stakeholder process, including Governments, the United Nations system, regional and subregional organizations and institutions as well as non-governmental organizations in support of practical disarmament measures and the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[136] in particular, inter alia through the Coordinating Action on Small Arms;

7. *Thanks* the Secretary-General for his report on the implementation of resolution 57/81,[132] taking into consideration the activities of the Group of Interested States in this regard;

8. *Welcomes* the report of the Secretary-General on disarmament and non-proliferation education,[137] as well as his report on the United Nations Disarmament Information Programme;[138]

9. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of practical disarmament measures, taking into consideration the activities of the Group of Interested States in this regard;

10. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Consolidation of peace through practical disarmament measures".

RESOLUTION 59/83

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[139] by a recorded vote of 132 to 29, with 24 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Belgium, Bulgaria, Czech Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Palau, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Andorra, Armenia, Australia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Estonia, Finland, Georgia, Japan, Kazakhstan, Liechtenstein, Micronesia (Federated States of), Republic of Korea, Republic of Moldova, Serbia and Montenegro, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Uzbekistan

59/83. Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*

The General Assembly,

Recalling its resolutions 49/75 K of 15 December 1994, 51/45 M of 10 December 1996, 52/38 O of 9 December 1997, 53/77 W of 4 December 1998, 54/54 Q of 1 December 1999,

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[136] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[137] A/59/178 and Add.1.

[138] A/59/171.

[139] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bangladesh, Bolivia, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Chile, Colombia, Congo, Costa Rica, Cuba, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Ghana, Guatemala, Guyana, India, Indonesia, Iraq, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mexico, Mongolia, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Sierra Leone, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Timor-Leste, Tonga, Uruguay, Viet Nam, Yemen and Zambia.

55/33 X of 20 November 2000, 56/24 S of 29 November 2001, 57/85 of 22 November 2002 and 58/46 of 8 December 2003,

Convinced that the continuing existence of nuclear weapons poses a threat to all humanity and that their use would have catastrophic consequences for all life on Earth, and recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the creation of a nuclear-weapon-free world,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,[140] particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament,

Recalling the principles and objectives for nuclear non-proliferation and disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[141]

Emphasizing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, adopted at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[142]

Recalling the adoption of the Comprehensive Nuclear-Test-Ban Treaty in its resolution 50/245 of 10 September 1996, and expressing its satisfaction at the increasing number of States that have signed and ratified the Treaty,

Recognizing with satisfaction that the Antarctic Treaty[143] and the treaties of Tlatelolco,[144] Rarotonga,[145] Bangkok[146] and Pelindaba[147] are gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons,

Stressing the importance of strengthening all existing nuclear-related disarmament and arms control and reduction measures,

Recognizing the need for a multilaterally negotiated and legally binding instrument to assure non-nuclear-weapon States against the threat or use of nuclear weapons,

Reaffirming the central role of the Conference on Disarmament as the single multilateral disarmament negotiating forum, and regretting the lack of progress in disarmament negotiations, particularly nuclear disarmament, in the Conference during its 2004 session,

Emphasizing the need for the Conference on Disarmament to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

Expressing its deep concern at the lack of progress in the implementation of the thirteen steps to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons agreed to at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[148]

Desiring to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[149]

Taking note of the relevant portions of the report of the Secretary-General relating to the implementation of resolution 58/46,[150]

1. *Underlines once again* the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;

2. *Calls once again upon* all States immediately to fulfil that obligation by commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;

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[140] United Nations, *Treaty Series*, vol. 729, No. 10485.

[141] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, Part I (NPT/CONF.1995/32 (Part I) and Corr.2), annex, decision 2.

[142] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15:6.

[143] United Nations, *Treaty Series*, vol. 402, No. 5778.

[144] Ibid., vol. 634, No. 9068.

[145] See *The United Nations Disarmament Yearbook*, vol. 10: 1985 (United Nations publication, Sales No. E.86.IX.7), appendix VII.

[146] Treaty on the South-East Asia Nuclear-Weapon-Free Zone.

[147] A/50/426, annex.

[148] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15.

[149] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports, 1996*, p. 226.

[150] A/59/136.

3. *Requests* all States to inform the Secretary-General of the efforts and measures they have taken on the implementation of the present resolution and nuclear disarmament, and requests the Secretary-General to apprise the General Assembly of that information at its sixtieth session;

4. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

RESOLUTION 59/84

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[151] by a recorded vote of 157 to none, with 22 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Yemen, Zambia, Zimbabwe

Against: None.

Abstaining: Azerbaijan, China, Cuba, Egypt, India, Iran (Islamic Republic of), Israel, Kazakhstan, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Marshall Islands, Micronesia (Federated States of), Myanmar, Pakistan, Palau, Republic of Korea, Russian Federation, Syrian Arab Republic, United States of America, Uzbekistan, Viet Nam

59/84. Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction

The General Assembly,

Recalling its resolutions 54/54 B of 1 December 1999, 55/33 V of 20 November 2000, 56/24 M of 29 November 2001, 57/74 of 22 November 2002 and 58/53 of 8 December 2003,

Reaffirming its determination to put an end to the suffering and casualties caused by anti-personnel mines, which kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons and have other severe consequences for years after emplacement,

Believing it necessary to do the utmost to contribute in an efficient and coordinated manner to facing the challenge of removing anti-personnel mines placed throughout the world and to assure their destruction,

Wishing to do the utmost in ensuring assistance for the care and rehabilitation, including the social and economic reintegration, of mine victims,

Welcoming the entry into force, on 1 March 1999, of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[152] and noting with satisfaction the work undertaken to implement the Convention and the substantial progress made towards addressing the global landmine problem,

Recalling the first to fifth meetings of the States parties to the Convention held in Maputo (1999),[153] Geneva (2000),[154] Managua (2001),[155] Geneva (2002)[156] and Bangkok (2003),[157] and the reaffirmation of a commitment to the total elimination of anti-personnel mines and to pursue, with renewed vigour, efforts to clear mined areas, assist victims, destroy stockpiled anti-personnel mines and promote universal adherence to the Convention,

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[151] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mozambique, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Yemen, Zambia and Zimbabwe.

[152] United Nations, *Treaty Series*, vol. 2056, No. 35597.

[153] See APLC/MSP.1/1999/1.

[154] See APLC/MSP.2/2000/1.

[155] See APLC/MSP.3/2001/1.

[156] See APLC/MSP.4/2002/1.

[157] See APLC/MSP.5/2003/5.

Recalling also the preparatory process for the First Review Conference of the Convention, to be held in Nairobi from 29 November to 3 December 2004, and the two preparatory meetings held in Geneva on 13 February and on 28 and 29 June 2004 pursuant to the decisions of the Fifth Meeting of the States Parties,[158]

Welcoming the regional seminars that have been held in different parts of the world during 2003 and 2004, which contributed to the exchange of information, experiences and best practices in mine action as well as to preparations for the First Review Conference, and recalling the efforts to enhance cooperation in the regional context and promote synergies between different regions,

Noting with interest the increased recognition of the need to integrate mine action into international and national development programmes and strategies, and, in this respect, welcoming the developments since the Fifth Meeting of the States Parties, including the meeting between the President of the Fifth Meeting of the States Parties and the President of the World Bank on 20 September 2004, which contributed to possible partnership between the mine action community and the World Bank,

Noting with satisfaction that additional States have ratified or acceded to the Convention, bringing the total number of States that have formally accepted the obligations of the Convention to one hundred and forty-three,

Emphasizing the desirability of attracting the adherence of all States to the Convention, and determined to work strenuously towards the promotion of its universalization,

Noting with regret that anti-personnel mines continue to be used in conflicts around the world, causing human suffering and impeding post-conflict development,

1. *Invites* all States that have not signed the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction[152] to accede to it without delay;

2. *Urges* all States that have signed but not ratified the Convention to ratify it without delay;

3. *Stresses* the importance of the full and effective implementation of and compliance with the Convention;

4. *Urges* all States parties to provide the Secretary-General with complete and timely information as required under article 7 of the Convention in order to promote transparency and compliance with the Convention;

5. *Invites* all States that have not ratified the Convention or acceded to it to provide, on a voluntary basis, information to make global mine action efforts more effective;

6. *Renews its call upon* all States and other relevant parties to work together to promote, support and advance the care, rehabilitation and social and economic reintegration of mine victims, mine risk education programmes and the removal of anti-personnel mines and stockpiles throughout the world and the assurance of their destruction;

7. *Invites and encourages* all interested States, the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations to attend the First Review Conference at the highest possible level and, pending a decision to be taken at the First Review Conference, to maintain the high level of participation in the subsequent meetings of the States parties, including their intersessional work programme;

8. *Requests* the Secretary-General to undertake the preparations necessary to convene the next meeting of the States parties, pending a decision to be taken at the First Review Conference, and to invite States not parties to the Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations to attend the meeting as observers;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

RESOLUTION 59/85

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[159] by a recorded vote of 171 to 4, with 8 abstentions, as follows:

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[158] Ibid., part I, sect. E.

[159] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Argentina, Bahamas, Belize, Benin, Bolivia, Brazil, Brunei Darussalam, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Djibouti, Ecuador, El Salvador, Ghana, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Jamaica, Kyrgyzstan, Liberia, Mexico, Mongolia, New Zealand, Nicaragua, Nigeria, Panama, Papua New Guinea, Paraguay, Peru, Samoa, Senegal, Sierra Leone, Singapore, South Africa, Thailand, Uganda, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Yemen, Zambia and Zimbabwe.

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: France, Palau, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Bhutan, India, Israel, Marshall Islands, Micronesia (Federated States of), Pakistan, Russian Federation, Spain

59/85. Nuclear-weapon-free southern hemisphere and adjacent areas

The General Assembly,

Recalling its resolutions 51/45 B of 10 December 1996, 52/38 N of 9 December 1997, 53/77 Q of 4 December 1998, 54/54 L of 1 December 1999, 55/33 I of 20 November 2000, 56/24 G of 29 November 2001, 57/73 of 22 November 2002 and 58/49 of 8 December 2003,

Recalling also the adoption by the Disarmament Commission at its 1999 substantive session of a text entitled "Establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned",[160]

Determined to pursue the total elimination of nuclear weapons,

Determined also to continue to contribute to the prevention of the proliferation of nuclear weapons in all its aspects and to the process of general and complete disarmament under strict and effective international control, in particular in the field of nuclear weapons and other weapons of mass destruction, with a view to strengthening international peace and security, in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the provisions on nuclear-weapon-free zones of the Final Document of the Tenth Special Session of the General Assembly,[161] the first special session devoted to disarmament,

Stressing the importance of the treaties of Tlatelolco,[162] Rarotonga,[163] Bangkok[164] and Pelindaba[165] establishing nuclear-weapon-free zones, as well as the Antarctic Treaty,[166] to, inter alia, achieve a world entirely free of nuclear weapons,

Underlining the value of enhancing cooperation among the nuclear-weapon-free-zone treaty members by means of mechanisms such as joint meetings of States parties, signatories and observers to those treaties,

Welcoming the announcement of the organization of an international conference of States parties signatories to the nuclear-weapon-free-zone treaties in Mexico, in 2005, to support the common goals envisaged in those treaties,

Recalling the applicable principles and rules of international law relating to the freedom of the high seas and the rights of passage through maritime space, including those of the United Nations Convention on the Law of the Sea,[167]

1. *Welcomes* the continued contribution that the Antarctic Treaty[166] and the treaties of Tlatelolco,[162] Rarotonga,[163] Bangkok[164] and Pelindaba[165] are making towards freeing the southern hemisphere and adjacent areas covered by those treaties from nuclear weapons;

2. *Also welcomes* the ratification by all original parties of the Treaty of Rarotonga, and calls upon eligible States to adhere to the treaty and the protocols thereto;

3. *Further welcomes* the efforts towards the completion of the ratification process of the Treaty of Pelindaba, and calls upon the States of the region that have not yet done so to sign and ratify the treaty, with the aim of its early entry into force;

4. *Calls upon* all concerned States to continue to work together in order to facilitate adherence to the protocols to

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[160] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex I.

[161] Resolution S-10/2.

[162] United Nations, *Treaty Series*, vol. 634, No. 9068.

[163] See *The United Nations Disarmament Yearbook*, vol. 10: 1985 (United Nations publication, Sales No. E.86.IX.7), appendix VII.

[164] Treaty on the South-East Asia Nuclear-Weapon-Free Zone.

[165] A/50/426, annex.

[166] United Nations, *Treaty Series*, vol. 402, No. 5778.

[167] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

nuclear-weapon-free-zone treaties by all relevant States that have not yet done so;

5. *Welcomes* the steps taken to conclude further nuclear-weapon-free-zone treaties on the basis of arrangements freely arrived at among the States of the region concerned, and calls upon all States to consider all relevant proposals, including those reflected in its resolutions on the establishment of nuclear-weapon-free zones in the Middle East and South Asia;

6. *Affirms its conviction* of the important role of nuclear-weapon-free zones in strengthening the nuclear non-proliferation regime and in extending the areas of the world that are nuclear-weapon-free, and, with particular reference to the responsibilities of the nuclear-weapon States, calls upon all States to support the process of nuclear disarmament and to work for the total elimination of all nuclear weapons;

7. *Calls upon* the States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, in order to pursue the common goals envisaged in those treaties and to promote the nuclear-weapon-free status of the southern hemisphere and adjacent areas, to explore and implement further ways and means of cooperation among themselves and their treaty agencies;

8. *Welcomes* the vigorous efforts being made among States parties and signatories to those treaties to promote their common objectives, and encourages the competent authorities of the nuclear-weapon-free-zone treaties to provide assistance to the States parties and signatories to those treaties so as to facilitate the accomplishment of these goals;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Nuclear-weapon-free southern hemisphere and adjacent areas".

RESOLUTION 59/86

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[168]

59/86. The illicit trade in small arms and light weapons in all its aspects

The General Assembly,

Recalling its resolutions 56/24 V of 24 December 2001, 57/72 of 22 November 2002 and 58/241 of 23 December 2003,

Emphasizing the importance of early and full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[169]

Welcoming the efforts by Member States to submit, on a voluntary basis, national reports on their implementation of the Programme of Action,

Noting with satisfaction regional and subregional efforts being undertaken in support of the implementation of the Programme of Action, and commending the progress that has already been made in this regard,

Taking note of the report of the Secretary-General on the implementation of resolution 58/241,[170]

Welcoming the convening of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, which held its first two-week substantive session in New York from 14 to 25 June 2004,

Welcoming also the broad-based consultations held by the Secretary-General with all Member States, interested regional and subregional organizations, international agencies and experts in the field on further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, and noting the report of the Secretary-General in this regard,[170]

1. *Decides* that the United Nations conference to review progress made in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects[169] shall be held in New York for a period of two weeks, from 26 June to 7 July 2006;

2. *Also decides* that the preparatory committee for the conference shall hold a two-week session in New York from 9 to 20 January 2006, and reiterates that, if necessary, a subsequent session of up to two weeks in duration may be held;

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[168] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Andorra, Argentina, Australia, Austria, Bahamas, Bangladesh, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Zambia and Zimbabwe.

[169] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[170] A/59/181.

3. *Further decides* that the second biennial meeting of States, as stipulated in the Programme of Action, to consider the national, regional and global implementation of the Programme of Action shall be held in New York from 11 to 15 July 2005;

4. *Expresses its appreciation* for the efforts undertaken by the Chair of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, encourages the continued active participation of delegations in the remaining sessions of the Open-ended Working Group, and stresses the importance of making every effort to ensure that a positive outcome is achieved by the Open-ended Working Group;

5. *Requests* the Secretary-General, while seeking the views of States, to continue to hold broad-based consultations, within available financial resources, with all Member States and interested regional and subregional organizations on further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, with a view to establishing, after the 2006 review conference and no later than 2007, and after the conclusion of the work of the Open-ended Working Group, a group of governmental experts, appointed by him on the basis of equitable geographical representation, to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, and requests the Secretary-General to report to the General Assembly at its sixtieth session on the outcome of his consultations;

6. *Reaffirms* the importance of ongoing efforts at the regional and subregional levels in support of the implementation of the Programme of Action, and invites all Member States that have not yet done so to examine the possibility of developing and adopting regional and subregional measures, as appropriate, to combat the illicit trade in small arms and light weapons in all its aspects;

7. *Continues to encourage* all initiatives to mobilize resources and expertise to promote the implementation of the Programme of Action and to provide assistance to States in its implementation;

8. *Requests* the Secretary-General to continue to collate and circulate data and information provided by States on a voluntary basis, including national reports, on the implementation by those States of the Programme of Action, and encourages Member States to submit such reports;

9. *Also requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution, including any outcome of the work of the Open-ended Working Group;

10. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "The illicit trade in small arms and light weapons in all its aspects".

RESOLUTION 59/87

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[171]

59/87. Confidence-building measures in the regional and subregional context

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Recalling its resolution 58/43 of 8 December 2003,

Recalling also its resolution 57/337 of 3 July 2003, entitled "Prevention of armed conflict", in which it called upon Member States to settle their disputes by peaceful means, as set out in Chapter VI of the Charter, inter alia, by any procedures adopted by the parties,

Recalling further the resolutions and guidelines adopted by consensus by the General Assembly and the Disarmament Commission relating to confidence-building measures and their implementation at the global, regional and subregional levels,

Considering the importance and effectiveness of confidence-building measures taken at the initiative and with the agreement of all States concerned and taking into account the specific characteristics of each region, since such measures can contribute to regional stability,

Convinced that resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

Recognizing the need for meaningful dialogue among States concerned to avert conflict,

Welcoming the peace processes already initiated by States concerned to resolve their disputes through peaceful means bilaterally or through mediation, inter alia, by third parties, regional organizations or the United Nations,

Recognizing that States in some regions have already taken steps towards confidence-building measures at the bilateral, subregional and regional levels in the political and military fields, including arms control and disarmament, and noting that such confidence-building measures have improved peace and security in those regions and contributed to progress in the socio-economic conditions of their people,

Concerned that the continuation of disputes among States, particularly in the absence of an effective mechanism to resolve them through peaceful means, may contribute to the arms race and endanger the maintenance of international peace and security and the efforts of the international community to promote arms control and disarmament,

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[171] The draft resolution recommended in the report was sponsored in the Committee by Liberia and Pakistan.

1. *Calls upon* Member States to refrain from the use or threat of use of force, in accordance with the purposes and principles of the Charter of the United Nations;

2. *Reaffirms its commitment* to the peaceful settlement of disputes under Chapter VI of the Charter, in particular Article 33, which provides for a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means chosen by the parties;

3. *Reaffirms* the ways and means regarding confidence- and security-building measures set out in the report of the Disarmament Commission on its 1993 session;[172]

4. *Calls upon* Member States to pursue those ways and means through sustained consultations and dialogue, while at the same time avoiding actions which may hinder or impair such a dialogue;

5. *Urges* States to comply strictly with all bilateral, regional and international agreements, including arms control and disarmament agreements, to which they are party;

6. *Emphasizes* that the objective of confidence-building measures should be to help to strengthen international peace and security and be consistent with the principle of undiminished security at the lowest level of armament;

7. *Encourages* the promotion of bilateral and regional confidence-building measures, with the consent and participation of the parties concerned, to avoid conflict and prevent the unintended and accidental outbreak of hostilities;

8. *Requests* the Secretary-General to submit a report to the General Assembly at its sixtieth session containing the views of Member States on confidence-building measures in the regional and subregional context;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Confidence-building measures in the regional and subregional context".

RESOLUTION 59/88

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[173] by a recorded vote of 178 to 1, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Yemen, Zambia, Zimbabwe

Against: India

Abstaining: Bhutan

59/88. Conventional arms control at the regional and subregional levels

The General Assembly,

Recalling its resolutions 48/75 J of 16 December 1993, 49/75 O of 15 December 1994, 50/70 L of 12 December 1995, 51/45 Q of 10 December 1996, 52/38 Q of 9 December 1997, 53/77 P of 4 December 1998, 54/54 M of 1 December 1999, 55/33 P of 20 November 2000, 56/24 I of 29 November 2001, 57/77 of 22 November 2002 and 58/39 of 8 December 2003,

Recognizing the crucial role of conventional arms control in promoting regional and international peace and security,

Convinced that conventional arms control needs to be pursued primarily in the regional and subregional contexts, since most threats to peace and security in the post-cold-war era arise mainly among States located in the same region or subregion,

Aware that the preservation of a balance in the defence capabilities of States at the lowest level of armaments would contribute to peace and stability and should be a prime objective of conventional arms control,

Desirous of promoting agreements to strengthen regional peace and security at the lowest possible level of armaments and military forces,

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[172] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 42* (A/48/42), annex II, sect. III.A.

[173] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Belarus, Germany, Italy, Liberia, Nepal, Pakistan, Papua New Guinea, Peru, Spain, the former Yugoslav Republic of Macedonia and Ukraine.

Noting with particular interest the initiatives taken in this regard in different regions of the world, in particular the commencement of consultations among a number of Latin American countries and the proposals for conventional arms control made in the context of South Asia, and recognizing, in the context of this subject, the relevance and value of the Treaty on Conventional Armed Forces in Europe,[174] which is a cornerstone of European security,

Believing that militarily significant States and States with larger military capabilities have a special responsibility in promoting such agreements for regional security,

Believing also that an important objective of conventional arms control in regions of tension should be to prevent the possibility of military attack launched by surprise and to avoid aggression,

1. *Decides* to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels;

2. *Requests* the Conference on Disarmament to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, and looks forward to a report of the Conference on this subject;

3. *Requests* the Secretary-General, in the meantime, to seek the views of Member States on the subject and to submit a report to the General Assembly at its sixtieth session;

4. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Conventional arms control at the regional and subregional levels".

RESOLUTION 59/89

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[175]

59/89. Regional disarmament

The General Assembly,

Recalling its resolutions 45/58 P of 4 December 1990, 46/36 I of 6 December 1991, 47/52 J of 9 December 1992, 48/75 I of 16 December 1993, 49/75 N of 15 December 1994, 50/70 K of 12 December 1995, 51/45 K of 10 December 1996, 52/38 P of 9 December 1997, 53/77 O of 4 December 1998, 54/54 N of 1 December 1999, 55/33 O of 20 November 2000, 56/24 H of 29 November 2001, 57/76 of 22 November 2002 and 58/38 of 8 December 2003 on regional disarmament,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

Noting that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,[176]

Taking note of the guidelines and recommendations for regional approaches to disarmament within the context of global security adopted by the Disarmament Commission at its 1993 substantive session,[177]

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two superpowers,

Taking note of the recent proposals for disarmament at the regional and subregional levels,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of all States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. *Stresses* that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. *Affirms* that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. *Calls upon* States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at the regional and subregional levels;

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[174] CD/1064.

[175] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Egypt, Indonesia, Jordan, Nepal, Pakistan, Peru, Saudi Arabia, Sri Lanka, Sudan and Turkey.

[176] Resolution S-10/2.

[177] *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 42* (A/48/42), annex II.

4. *Welcomes* the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. *Supports and encourages* efforts aimed at promoting confidence-building measures at the regional and subregional levels to ease regional tensions and to further disarmament and nuclear non-proliferation measures at the regional and subregional levels;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Regional disarmament".

RESOLUTION 59/90

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[178]

59/90. Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems

The General Assembly,

Recalling its resolutions 58/42 and 58/54 of 8 December 2003 and 58/241 of 23 December 2003,

Recognizing that disarmament, arms control and non-proliferation are essential for the maintenance of international peace and security,

Acknowledging the authorized trade in man-portable air defence systems between Governments and the legitimate right of Governments to possess such weapons in the interests of their national security,

Recognizing the threat posed to civil aviation, peacekeeping, crisis management and security by the illicit transfer and unauthorized access to and use of man-portable air defence systems,

Taking into account that man-portable air defence systems are easily carried, concealed, fired and, in certain circumstances, obtained,

Recognizing that effective control over man-portable air defence systems acquires special importance in the context of the intensified international fight against global terrorism,

Convinced of the importance of effective national control of transfers of man-portable air defence systems and the safe and effective management of stockpiles of such weapons,

Welcoming the ongoing efforts of various international and regional forums to enhance transport security and to strengthen management of man-portable air defence systems stockpiles in order to prevent the illicit transfer and unauthorized access to and use of such weapons,

Noting the importance of information exchange and transparency in the trade in man-portable air defence systems to build confidence and security among States and to prevent the illicit trade in and unauthorized access to such weapons,

1. *Emphasizes* the importance of the full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;[179]

2. *Urges* Member States to support current international, regional and national efforts to combat and prevent the illicit transfer of man-portable air defence systems and unauthorized access to and use of such weapons;

3. *Stresses* the importance of effective and comprehensive national controls on the production, stockpiling, transfer and brokering of man-portable air defence systems to prevent the illicit trade in and unauthorized access to and use of such weapons;

4. *Encourages* Member States to enact or improve legislation, regulations, procedures and stockpile management practices to exercise effective control over access to and transfer of man-portable air defence systems so as to prevent the illicit transfer and unauthorized access to and use of such weapons;

5. *Also encourages* Member States to enact or improve legislation, regulations and procedures to ban the transfer of man-portable air defence systems to non-State end-users and to ensure that such weapons are exported only to Governments or agents authorized by a Government;

6. *Encourages* initiatives to exchange information and to mobilize resources and technical expertise to assist States, at their request, in enhancing national controls and stockpile management practices to prevent unauthorized access to and use

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[178] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Haiti, Honduras, Hungary, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Philippines, Poland, Portugal, Romania, Russian Federation, Saint Vincent and the Grenadines, Samoa, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, United Kingdom of Great Britain and Northern Ireland and Zambia.

[179] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

and transfer of man-portable air defence systems and to destroy excess or obsolete stockpiles of such weapons, as appropriate;

7. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems".

RESOLUTION 59/91

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90),[180] by a recorded vote of 161 to 2, with 15 abstentions, as follows:

In favour: Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Zambia, Zimbabwe

Against: Egypt, Iran (Islamic Republic of)

Abstaining: Algeria, Bahrain, Bangladesh, Brazil, Cuba, Djibouti, India, Indonesia, Malaysia, Mauritius, Mexico, Pakistan, Syrian Arab Republic, United Arab Emirates, Yemen

59/91. The Hague Code of Conduct against Ballistic Missile Proliferation

The General Assembly,

Concerned about the increasing regional and global security challenges caused, inter alia, by the ongoing proliferation of ballistic missiles capable of delivering weapons of mass destruction,

Bearing in mind the purposes and principles of the United Nations and its role and responsibility in the field of international peace and security in accordance with the Charter of the United Nations,

Emphasizing the significance of regional and international efforts to prevent and curb comprehensively the proliferation of ballistic missile systems capable of delivering weapons of mass destruction, as a contribution to international peace and security,

Convinced that the Hague Code of Conduct against Ballistic Missile Proliferation[181] will contribute to enhancing transparency and confidence among States,

Confirming its commitment to the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries, as contained in the annex to its resolution 51/122 of 13 December 1996,

Recognizing that States should not be excluded from utilizing the benefits of space for peaceful purposes, but that in reaping such benefits and in conducting related cooperation they must not contribute to the proliferation of ballistic missiles capable of carrying weapons of mass destruction,

Mindful of the need to combat the proliferation of weapons of mass destruction and their means of delivery,

1. *Welcomes* the adoption of the Hague Code of Conduct against Ballistic Missile Proliferation on 25 November 2002 at The Hague[181] as a practical step against the proliferation of weapons of mass destruction and their means of delivery;

2. *Notes with satisfaction* that one hundred and seventeen States already have subscribed to the Code of Conduct;

3. *Invites* all States that have not yet subscribed to the Code of Conduct to do so;

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[180] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Latvia, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of) and Zambia.

[181] A/57/724, enclosure.

4. *Encourages* the exploration of further ways and means to deal effectively with the problem of the proliferation of ballistic missiles capable of delivering weapons of mass destruction;

5. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "The Hague Code of Conduct against Ballistic Missile Proliferation".

RESOLUTION 59/92

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[182]

59/92. Information on confidence-building measures in the field of conventional arms

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Bearing in mind the contribution of confidence-building measures in the field of conventional arms, adopted on the initiative and with the agreement of the States concerned, to the improvement of the overall international peace and security situation,

Convinced that the relationship between the development of confidence-building measures in the field of conventional arms and the international security environment can also be mutually reinforcing,

Considering the important role that confidence-building measures in the field of conventional arms can also play in creating favourable conditions for progress in the field of disarmament,

Recognizing that the exchange of information on confidence-building measures in the field of conventional arms contributes to mutual understanding and confidence among Member States,

1. *Welcomes* all confidence-building measures in the field of conventional arms already undertaken by Member States as well as the information on such measures voluntarily provided;

2. *Encourages* Member States to continue to adopt confidence-building measures in the field of conventional arms and to provide information in that regard;

3. *Also encourages* Member States to engage in a dialogue on confidence-building measures in the field of conventional arms;

4. *Requests* the Secretary-General to establish, with the financial support of States in a position to do so, an electronic database containing information provided by Member States and to assist them, at their request, in the organization of seminars, courses and workshops aimed at enhancing the knowledge of new developments in this field;

5. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "Information on confidence-building measures in the field of conventional arms".

RESOLUTION 59/93

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[183]

59/93. United Nations study on disarmament and non-proliferation education

The General Assembly,

Recalling its resolution 55/33 E of 20 November 2000 and 57/60 of 22 November 2002,

Welcoming the report of the Secretary-General on disarmament and non-proliferation education,[184] in which the Secretary-General reported on the implementation of the recommendations contained in the United Nations study on disarmament and non-proliferation education,[185]

Desirous of stressing the urgency of promoting concerted international efforts at disarmament and non-proliferation, in particular in the field of nuclear disarmament and non-proliferation, with a view to strengthening international security and enhancing sustainable economic and social development,

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[182] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Kenya, Latvia, Liberia, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mexico, Netherlands, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of) and Zambia.

[183] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Australia, Bolivia, Brazil, Canada, Chile, Costa Rica, Egypt, Estonia, France, Hungary, India, Indonesia, Japan, Kazakhstan, Malaysia, Mexico, Monaco, New Zealand, Norway, Pakistan, Papua New Guinea, Paraguay, Peru, Poland, Senegal, Sierra Leone, South Africa, Sweden, Thailand, Ukraine and Zambia.

[184] A/59/178 and Add.1.

[185] A/57/124.

Conscious of the need to combat the negative effects of cultures of violence and complacency in the face of current dangers in this field through long-term programmes of education and training,

Remaining convinced that the need for disarmament and non-proliferation education has never been greater, especially on the subject of weapons of mass destruction, but also in the field of small arms and light weapons, terrorism and other challenges to international security and the process of disarmament, as well as on the relevance of implementing the recommendations contained in the United Nations study,

Recognizing the importance of the role of civil society, including non-governmental organizations, in the promotion of disarmament and non-proliferation education,

1. *Expresses its appreciation* to the Member States, the United Nations and other international and regional organizations, civil society and non-governmental organizations, which, within their purview, implemented the recommendations made in the United Nations study,[183] as discussed in the report of the Secretary-General reviewing the implementation of the recommendations;[184]

2. *Conveys once again* those recommendations to Member States, the United Nations and other international and regional organizations, civil society and non-governmental organizations, and encourages them to report to the Secretary-General on steps taken to implement them;

3. *Requests* the Secretary-General to prepare a report reviewing the results of the implementation of the recommendations and possible new opportunities for promoting disarmament and non-proliferation education, and to submit it to the General Assembly at its sixty-first session;

4. *Also requests* the Secretary-General to utilize electronic means to the fullest extent possible in the dissemination, in as many official languages as feasible, of information related to that report and any other information that the Department for Disarmament Affairs gathers on an ongoing basis in regard to the implementation of the recommendations of the United Nations study;

5. *Decides* to include in the provisional agenda of its sixty-first session an item entitled "Disarmament and non-proliferation education".

RESOLUTION 59/94

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[186]

59/94. Bilateral strategic nuclear arms reductions and the new strategic framework

The General Assembly,

Recalling its resolution 57/68 of 22 November 2002,

Noting with satisfaction the new strategic relationship between the United States of America and the Russian Federation, built on the principles of mutual security, trust, openness, cooperation and predictability, as affirmed in their Joint Declaration of 24 May 2002,[187]

Noting the increasing cooperation between the United States of America and the Russian Federation in addressing significant challenges to international security, as illustrated by their joint efforts regarding Security Council resolution 1540 (2004) of 28 April 2004,

Welcoming the determination of the two countries to work together, and with other nations and international organizations, to meet their respective obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons which was opened for signature on 1 July 1968,[188]

Mindful of the obligation of all parties to the Treaty to abide by all of their commitments under the Treaty,

1. *Welcomes* the entry into force of the Treaty on Strategic Offensive Reductions ("the Moscow Treaty") on 1 June 2003, under which the United States of America and the Russian Federation are committed to reducing and limiting their strategic nuclear warheads so that by 31 December 2012, the aggregate number of such warheads does not exceed 1,700 to 2,200 for each party;

2. *Supports* the continued commitment of the United States of America and the Russian Federation to cooperative efforts in strategic offensive reductions, inter alia, through meetings of the Bilateral Implementation Commission for the Moscow Treaty, as well as increased strategic stability through discussions in the working groups established under the Consultative Group for Strategic Security;

3. *Recognizes* that the Moscow Treaty is an important result of the new bilateral strategic relationship, which will help in establishing more favourable conditions for actively promoting security and cooperation, and enhancing international stability;

4. *Acknowledges* the contribution that the United States of America and the Russian Federation have made to nuclear disarmament by reducing their deployed strategic warheads by about half since the end of the cold war;

5. *Recognizes* the importance of the Treaty on the Reduction and Limitation of Strategic Offensive Arms

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[186] The draft resolution recommended in the report was sponsored in the Committee by the Russian Federation and the United States of America.

[187] See CD/1674.

[188] United Nations, *Treaty Series*, vol. 729, No. 10485.

(START),[189] which is still in force, and of its provisions, which will lay the foundation for ensuring confidence, transparency and predictability in further strategic offensive reductions;

6. *Also recognizes* that, since the end of the cold war, the United States of America has reduced the number of its START-accountable deployed strategic warheads from over 10,000 to less than 6,000, and has also eliminated 1,032 launchers for intercontinental ballistic missiles and submarine-launched ballistic missiles, 350 heavy bombers and 28 ballistic missile submarines, and removed 4 additional ballistic missile submarines from strategic service;

7. *Further recognizes* that, in the same time period, the Russian Federation has reduced the number of its START-accountable deployed strategic warheads to less than 5,000, and has also eliminated 1,250 launchers for intercontinental ballistic missiles and submarine-launched ballistic missiles, 43 ballistic missile submarines and 65 heavy bombers;

8. *Recognizes* the importance of the 1991 and 1992 initiatives put forward by the Presidents of the United States of America and the Union of Soviet Socialist Republics/Russian Federation, which represent a major step forward in the meeting by the Russian Federation and the United States of America of their obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons;[188]

9. *Notes with approval* that, since the end of the cold war, the United States of America and the Russian Federation have halted the production of fissile material for nuclear weapons and have committed themselves to eliminating excess fissile material resulting from the dismantlement of weapons no longer needed for national security;

10. *Welcomes*, in this context, the implementation of the 1993 Agreement concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons, signed by the Governments of the Russian Federation and the United States of America, under which more than 216 metric tons of excess Russian highly enriched uranium have been down-blended for use as power reactor fuel, and the fact that, under the Agreement, 30 metric tons of highly enriched uranium from dismantled nuclear weapons will be down-blended per year until a total of 500 metric tons has been processed;

11. *Also welcomes* the independent action taken by the United States of America to dispose of 174 metric tons of excess highly enriched uranium from its nuclear weapons programme, of which 50 metric tons have already been down-blended for use as reactor fuel;

12. *Supports* continued efforts by the United States of America and the Russian Federation to implement the 1997 Agreement concerning Cooperation regarding Plutonium Production Reactors and the 2000 Agreement concerning the Management and Disposition of Plutonium Designated as No Longer Required for Defence Purposes and Related Cooperation;

13. *Invites* the United States of America and the Russian Federation to keep other States Members of the United Nations duly informed of their nuclear reduction activities;

14. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Bilateral strategic nuclear arms reductions and the new strategic framework".

RESOLUTION 59/95

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/459 and Corr.1, para. 90)[190]

59/95. Improving the effectiveness of the methods of work of the First Committee

The General Assembly,

Recalling its resolutions 48/87 of 16 December 1993, 49/85 of 15 December 1994, 57/300 of 20 December 2002, 58/41 of 8 December 2003, 58/126 of 19 December 2003 and 58/316 of 1 July 2004,

Affirming that its rules of procedure permit the Main Committees to undertake organizational refinements to improve the effectiveness of their methods of work, and noting with satisfaction that the First Committee already has done so,

Emphasizing that improved functioning of the First Committee should be considered in an integrated and comprehensive manner through the existing three stages, namely general debate, thematic/structured debate, and consideration of and action on draft resolutions,

Determining to continue its efforts to improve the efficiency and effectiveness of the methods of work of the First

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[189] *The United Nations Disarmament Yearbook*, vol. 16: 1991 (United Nations publication, Sales No. E.92.IX.1), appendix II.

[190] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Estonia, Micronesia (Federated States of), Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Iran (Islamic Republic of), Italy, Japan, Jordan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mexico, Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Viet Nam and Yemen.

Committee, as a means to enhance the role of the General Assembly in promoting international peace and security,

1. *Invites* Member States to consider the biennialization or triennialization of the agenda items discussed in the First Committee, on a voluntary basis, and particularly when no specific action is required for the implementation of relevant resolutions;

2. *Also invites* Member States to continue to hold interactive debates based on a programme and format elaborated through informal consultations between the Bureau and Member States in advance of each First Committee session;

3. *Further invites* Member States to submit draft resolutions in a more concise, focused and action-oriented manner and, where practical, to consider the possibility of submitting draft decisions;

4. *Recommends* that the respective sponsors of draft resolutions hold informal consultations, both before and during First Committee meetings, with the participation of all interested Member States for furthering discussions on draft resolutions already submitted or yet to be submitted to the Committee;

5. *Encourages* Member States to introduce draft resolutions on related or complementary issues to find commonalities in the language and purpose of those draft resolutions, and invites Member States to consider pursuing mergers of such texts through consultations with all sponsors;

6. *Also encourages* Member States, in particular those that present any draft resolution, to follow up on the agreed resolution in order to contribute to the achievement of the objective of such resolution;

7. *Encourages* the First Committee to introduce presentations of, and focus discussions on, reports on the work of expert groups, the United Nations regional centres for peace and disarmament, the United Nations Institute for Disarmament Research and the Advisory Board on Disarmament Matters initiated by the Committee;

8. *Reiterates* that the Secretary-General, in accordance with rule 154 of the rules of procedure of the General Assembly, shall keep all Committees, including the First Committee, informed of the detailed estimated cost of all resolutions and decisions that have been recommended by the Committees for approval by the Assembly;

9. *Requests* the First Committee, in the light of the growing interconnectedness of issues before the General Assembly, to explore the forms of mutual cooperation with other Main Committees;

10. *Decides* to develop further, within existing resources, the electronic support for the work of the First Committee, in particular through the existing web sites;

11. *Decides also* to review regularly the implementation of the present resolution.

RESOLUTION 59/96

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/460, para. 25)[191]

59/96. Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa

The General Assembly,

Bearing in mind the purposes and principles of the United Nations and its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations,

Recalling its resolutions 43/78 H and 43/85 of 7 December 1988, 44/21 of 15 November 1989, 45/58 M of 4 December 1990, 46/37 B of 6 December 1991, 47/53 F of 15 December 1992, 48/76 A of 16 December 1993, 49/76 C of 15 December 1994, 50/71 B of 12 December 1995, 51/46 C of 10 December 1996, 52/39 B of 9 December 1997, 53/78 A of 4 December 1998, 54/55 A of 1 December 1999, 55/34 B of 20 November 2000, 56/25 A of 29 November 2001, 57/88 of 22 November 2002 and 58/65 of 8 December 2003,

Considering the importance and effectiveness of confidence-building measures taken at the initiative and with the participation of all States concerned and taking into account the specific characteristics of each region, since such measures can contribute to regional stability and to international peace and security,

Convinced that the resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

Recalling the guidelines for general and complete disarmament adopted at its tenth special session, the first special session devoted to disarmament,

Convinced that development can be achieved only in a climate of peace, security and mutual confidence both within and among States,

Bearing in mind the establishment by the Secretary-General on 28 May 1992 of the United Nations Standing Advisory Committee on Security Questions in Central Africa, the purpose of which is to encourage arms limitation, disarmament, non-proliferation and development in the subregion,

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[191] The draft resolution recommended in the report was sponsored in the Committee by: Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon and Rwanda.

Recalling the Brazzaville Declaration on Cooperation for Peace and Security in Central Africa,[192] the Bata Declaration for the Promotion of Lasting Democracy, Peace and Development in Central Africa[193] and the Yaoundé Declaration on Peace, Security and Stability in Central Africa,[194]

Bearing in mind resolutions 1196 (1998) and 1197 (1998), adopted by the Security Council on 16 and 18 September 1998 respectively, following its consideration of the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa,[195]

Emphasizing the need to strengthen the capacity for conflict prevention and peacekeeping in Africa,

Recalling the decision of the fourth ministerial meeting of the Standing Advisory Committee in favour of establishing, under the auspices of the Office of the United Nations High Commissioner for Human Rights, a subregional centre for human rights and democracy in Central Africa at Yaoundé,

1. *Takes note* of the report of the Secretary-General on regional confidence-building measures, which deals with the activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa in the period since the adoption by the General Assembly of resolution 58/65;[196]

2. *Reaffirms its support* for efforts aimed at promoting confidence-building measures at the regional and subregional levels in order to ease tensions and conflicts in Central Africa and to further peace, stability and sustainable development in the subregion;

3. *Also reaffirms its support* for the programme of work of the Standing Advisory Committee adopted at the organizational meeting of the Committee, held at Yaoundé from 27 to 31 July 1992;

4. *Notes with satisfaction* the progress made by the States members of the Standing Advisory Committee in implementing the programme of activities for the period 2003–2004, in particular by holding the twenty-first ministerial meeting of the Standing Advisory Committee in Malabo from 21 to 25 June 2004;[197]

5. *Emphasizes* the importance of providing the States members of the Standing Advisory Committee with the essential support they need to carry out the full programme of activities which they adopted at their ministerial meetings;

6. *Welcomes* the creation of a mechanism for the promotion, maintenance and consolidation of peace and security in Central Africa, known as the Council for Peace and Security in Central Africa, by the Conference of Heads of State and Government of the member countries of the Economic Community of Central African States, held at Yaoundé on 25 February 1999, and requests the Secretary-General to give his full support to the effective realization of that important mechanism;

7. *Emphasizes* the need to make the early warning mechanism in Central Africa operational so that it will serve, on the one hand, as an instrument for analysing and monitoring political situations in the States members of the Standing Advisory Committee with a view to preventing the outbreak of future armed conflicts and, on the other hand, as a technical body through which the member States will carry out the programme of work of the Committee, adopted at its organizational meeting held at Yaoundé in 1992, and requests the Secretary-General to provide it with the assistance necessary for it to function properly;

8. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide their full assistance for the proper functioning of the Subregional Centre for Human Rights and Democracy in Central Africa;

9. *Requests* the Secretary-General, pursuant to Security Council resolution 1197 (1998), to provide the States members of the Standing Advisory Committee with the necessary support for the implementation and smooth functioning of the Council for Peace and Security in Central Africa and the early warning mechanism;

10. *Also requests* the Secretary-General to support the establishment of a network of parliamentarians with a view to the creation of a subregional parliament in Central Africa;

11. *Requests* the Secretary-General and the United Nations High Commissioner for Refugees to continue to provide increased assistance to the countries of Central Africa for coping with the problems of refugees and displaced persons in their territories;

12. *Thanks* the Secretary-General for having established the Trust Fund for the United Nations Standing Advisory Committee on Security Questions in Central Africa;

13. *Appeals* to Member States and to governmental and non-governmental organizations to make additional voluntary contributions to the Trust Fund for the implementation of the programme of work of the Standing Advisory Committee;

14. *Thanks* the Secretary-General for sending a multidisciplinary mission from 8 to 22 June 2003 for the purpose of undertaking an assessment of the priority needs of the region and challenges confronting it in the areas of peace, security, economic development, human rights, HIV/AIDS and humanitarian questions;

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[192] A/50/474, annex I.

[193] A/53/258-S/1998/763, annex II, appendix I.

[194] A/53/868-S/1999/303, annex II.

[195] A/52/871-S/1998/318.

[196] A/59/182.

[197] See A/59/154-S/2004/576, annex.

15. *Requests* the Secretary-General to continue to provide the States members of the Standing Advisory Committee with assistance to ensure that they are able to carry on their efforts;

16. *Also requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

17. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa".

RESOLUTION 59/97

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/460, para. 25)[198]

59/97. United Nations disarmament fellowship, training and advisory services

The General Assembly,

Having considered the report of the Secretary-General,[199]

Recalling its decision, contained in paragraph 108 of the Final Document of the Tenth Special Session of the General Assembly,[200] the first special session devoted to disarmament, to establish a programme of fellowships on disarmament, as well as its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly,[201] the second special session devoted to disarmament, in which it decided, inter alia, to continue the programme,

Noting that the programme continues to contribute significantly to developing greater awareness of the importance and benefits of disarmament and better understanding of the concerns of the international community in the field of disarmament and security, as well as to enhancing the knowledge and skills of fellows, allowing them to participate more effectively in efforts in the field of disarmament at all levels,

Noting with satisfaction that the programme has trained a large number of officials from Member States throughout its twenty-six years of existence, many of whom hold positions of responsibility in the field of disarmament within their own Governments,

Recognizing the need for Member States to take into account gender equality when nominating candidates to the programme,

Recalling all the annual resolutions on the matter since the thirty-seventh session of the General Assembly, in 1982, including resolution 50/71 A of 12 December 1995,

Believing that the forms of assistance available to Member States, in particular to developing countries, under the programme will enhance the capabilities of their officials to follow ongoing deliberations and negotiations on disarmament, both bilateral and multilateral,

1. *Reaffirms* its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly[201] and the report of the Secretary-General[202] approved by the Assembly in its resolution 33/71 E of 14 December 1978;

2. *Expresses its appreciation* to all Member States and organizations that have consistently supported the programme throughout the years, thereby contributing to its success, in particular to the Governments of Germany and Japan for the continuation of extensive and highly educative study visits for the participants in the programme, and to the Government of the United States of America for organizing a presentation to the fellows in the area of disarmament;

3. *Expresses its appreciation* to the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the Monterey Institute of International Studies for having organized specific study programmes in the field of disarmament in their respective areas of competence, thereby contributing to the objectives of the programme;

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[198] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Angola, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Lithuania, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Papua New Guinea, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

[199] A/59/177.

[200] Resolution S-10/2.

[201] *Official Records of the General Assembly, Twelfth Special Session, Annexes*, agenda items 9–13, document A/S-12/32.

[202] A/33/305.

4. *Commends* the Secretary-General for the diligence with which the programme has continued to be carried out;

5. *Requests* the Secretary-General to continue to implement annually the Geneva-based programme within existing resources and to report thereon to the General Assembly at its sixty-first session;

6. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "United Nations disarmament fellowship, training and advisory services".

RESOLUTION 59/98

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/460, para. 25)[203]

59/98. United Nations regional centres for peace and disarmament

The General Assembly,

Recalling its resolution 58/63 of 8 December 2003 regarding the maintenance and revitalization of the three United Nations regional centres for peace and disarmament,

Recalling also the reports of the Secretary-General on the United Nations Regional Centre for Peace and Disarmament in Africa,[204] the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific[205] and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean,[206]

Reaffirming its decision, taken in 1982 at its twelfth special session, to establish the United Nations Disarmament Information Programme, the purpose of which is to inform, educate and generate public understanding and support for the objectives of the United Nations in the field of arms control and disarmament,[207]

Bearing in mind its resolutions 40/151 G of 16 December 1985, 41/60 J of 3 December 1986, 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989 on the regional centres for peace and disarmament in Nepal, Peru and Togo,

Recognizing that the changes that have taken place in the world have created new opportunities as well as posed new challenges for the pursuit of disarmament, and, in this regard, bearing in mind that the regional centres for peace and disarmament can contribute substantially to understanding and cooperation among States in each particular region in the areas of peace, disarmament and development,

Noting that in paragraph 146 of the Final Document of the Twelfth Conference of Heads of State or Government of the Non-Aligned Countries, held at Durban, South Africa, from 29 August to 3 September 1998, the Heads of State or Government welcomed the decision adopted by the General Assembly on maintaining and revitalizing the three regional centres for peace and disarmament in Nepal, Peru and Togo,[208]

1. *Reiterates* the importance of the United Nations activities at the regional level to increase the stability and security of its Member States, which could be promoted in a substantive manner by the maintenance and revitalization of the three regional centres for peace and disarmament;

2. *Reaffirms* that, in order to achieve positive results, it is useful for the three regional centres to carry out dissemination and educational programmes that promote regional peace and security and that are aimed at changing basic attitudes with respect to peace and security and disarmament so as to support the achievement of the purposes and principles of the United Nations;

3. *Appeals* to Member States in each region and those that are able to do so, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions to the regional centres in their respective regions to strengthen their activities and initiatives;

4. *Emphasizes* the importance of the activities of the regional branch of the Department for Disarmament Affairs of the Secretariat;

5. *Requests* the Secretary-General to provide all necessary support, within existing resources, to the regional centres in carrying out their programmes of activities;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "United Nations regional centres for peace and disarmament".

RESOLUTION 59/99

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/460, para. 25)[209]

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[203] The draft resolution recommended in the report was sponsored in the Committee by Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[204] A/59/209.

[205] A/59/169.

[206] A/59/157.

[207] See *Official Records of the General Assembly, Twelfth Special Session, Plenary Meetings*, 1st meeting, paras. 110 and 111.

[208] A/53/667-S/1998/1071, annex I.

[209] The draft resolution recommended in the report was sponsored in the Committee by Mexico (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States).

59/99. United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

The General Assembly,

Recalling its resolutions 41/60 J of 3 December 1986, 42/39 K of 30 November 1987 and 43/76 H of 7 December 1988 on the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, with headquarters in Lima,

Recalling also its resolutions 46/37 F of 9 December 1991, 48/76 E of 16 December 1993, 49/76 D of 15 December 1994, 50/71 C of 12 December 1995, 52/220 of 22 December 1997, 53/78 F of 4 December 1998, 54/55 F of 1 December 1999, 55/34 E of 20 November 2000, 56/25 E of 29 November 2001, 57/89 of 22 November 2002 and 58/60 of 8 December 2003,

Underlining the revitalization of the Regional Centre, the efforts made by the Government of Peru and other countries to that end, as well as the important work done by the Director of the Centre,

Recognizing that the Regional Centre has continued to act as an instrument for the implementation of regional initiatives and has intensified its contribution to the coordination of United Nations efforts towards peace and security,

Welcoming the report of the Secretary-General,[210] which concludes that the Regional Centre has continued to act as a facilitator for the implementation of regional initiatives by identifying regional security needs and new areas of cooperation with States and organizations in the region, and to provide more in-depth information on weapons-related matters, weapons destruction and stockpile management, including the initiation of a series of training courses for the law enforcement community, members of parliament, representatives of ministries of foreign affairs and non-governmental organizations on such matters,

Welcoming also the fact that the report stresses that the Regional Centre has placed more emphasis on the inclusion of a gender perspective in its planned activities and the relationship between disarmament and development,

Welcoming further the report of the Group of Governmental Experts on the relationship between disarmament and development, established pursuant to General Assembly resolution 57/65 of 22 November 2002,[211] which is of utmost interest with regard to the role that the Regional Centre plays in promoting the issue in the region in pursuit of its mandate to promote economic and social development related to peace and disarmament,

Noting that security and disarmament issues have always been recognized as significant topics in Latin America and the Caribbean, the first inhabited region in the world to be declared a nuclear-weapon-free zone,

Welcoming the support provided by the Regional Centre to strengthening the nuclear-weapon-free zone established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco),[212] as well as to promoting and assisting the ratification and implementation of existing multilateral agreements related to weapons of mass destruction and to promoting peace and disarmament education projects during the period under review,

Bearing in mind the important role that the Regional Centre can play in promoting confidence-building measures, arms control and limitation, disarmament and development at the regional level,

Bearing in mind also the importance of information, research, education and training for peace, disarmament and development in order to achieve understanding and cooperation among States,

Recognizing the need to provide the three United Nations regional centres for peace and disarmament with sufficient financial resources and cooperation for the planning and implementation of their programmes of activities,

1. *Reiterates its strong support* for the role of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean in the promotion of United Nations activities at the regional level to strengthen peace, stability, security and development among its member States;

2. *Expresses its satisfaction and congratulates* the Regional Centre for the expansion of the vast range of activities carried out in the last year in the fields of peace, disarmament and development, and requests the Regional Centre to take into account the proposals to be submitted by the countries of the region in promoting confidence-building measures, arms control and limitation, transparency, disarmament and development at the regional level;

3. *Expresses its appreciation* for the political support and financial contributions to the Regional Centre, which are essential for its continued operation;

4. *Invites* all States of the region to continue to take part in the activities of the Regional Centre, proposing items for inclusion in its programme and making greater and better use of the potential of the Centre to meet the current challenges facing

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[210] A/59/157.

[211] See A/59/119.

[212] United Nations, *Treaty Series*, vol. 634, No. 9068.

the international community with a view to fulfilling the aims of the Charter of the United Nations in the fields of peace, disarmament and development;

5. *Recognizes* that the Regional Centre has an important role in the promotion and development of regional initiatives agreed upon by the countries of Latin America and the Caribbean in the field of weapons of mass destruction, in particular nuclear weapons, conventional arms, including small arms and light weapons, as well as the relationship between disarmament and development;

6. *Encourages* the Regional Centre to further develop activities in the important area of disarmament and development;

7. *Highlights* the conclusion contained in the report of the Secretary-General that the vast regional cooperation undertaken by the Regional Centre during the reporting period was evidence of the important role of the Organization as a viable regional actor in assisting countries in the region to advance the cause of peace, disarmament and development in Latin America and the Caribbean;[213]

8. *Appeals* to Member States, in particular those within the Latin American and Caribbean region, as well as to international governmental and non-governmental organizations and foundations, to make and to increase voluntary contributions to strengthen the Regional Centre, its programme of activities and the implementation thereof;

9. *Requests* the Secretary-General to provide the Regional Centre with all necessary support, within existing resources, so that it may carry out its programme of activities in accordance with its mandate;

10. *Also requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean".

RESOLUTION 59/100

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/460, para. 25)[214]

59/100. United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific

The General Assembly,

Recalling its resolutions 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989, by which it established the United Nations Regional Centre for Peace and Disarmament in Asia and renamed it the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, with headquarters in Kathmandu and with the mandate of providing, on request, substantive support for the initiatives and other activities mutually agreed upon by the Member States of the Asia-Pacific region for the implementation of measures for peace and disarmament, through appropriate utilization of available resources,

Welcoming the report of the Secretary-General,[215] in which he expresses his belief that the mandate of the Regional Centre remains valid and that the Centre has been a useful instrument for fostering a climate of cooperation for peace and disarmament in the region,

Noting that trends in the post-cold-war era have emphasized the function of the Regional Centre in assisting Member States as they deal with new security concerns and disarmament issues emerging in the region,

Commending the useful activities carried out by the Regional Centre in encouraging regional and subregional dialogue for the enhancement of openness, transparency and confidence-building, as well as the promotion of disarmament and security through the organization of regional meetings, which has come to be widely known within the Asia-Pacific region as "the Kathmandu process",

Expressing its appreciation to the Regional Centre for its organization of meetings and conferences in the region, held in Osaka, Japan, from 19 to 22 August 2003, on Jeju Island, Republic of Korea, from 3 to 5 December 2003, in Almaty, Kazakhstan, from 16 to 18 March 2004, in Kanazawa, Japan, from 7 to 9 June 2004 and in Sapporo, Japan, from 26 to 29 July 2004,

Welcoming the idea of the possible creation of an educational and training programme for peace and disarmament in Asia and the Pacific for young people with different backgrounds, to be financed from voluntary contributions,

Noting the important role of the Regional Centre in assisting region-specific initiatives of Member States, including its continued assistance in finalizing a treaty related to the establishment of a nuclear-weapon-free zone in Central Asia, as well as to Mongolia's international security and nuclear-weapon-free status, including the organization of an informal consultation among relevant United Nations bodies in January and June 2004 to discuss the status of implementation of the non-nuclear aspects of Mongolia's status,

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[213] See A/59/157, para. 39.

[214] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Australia, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, Democratic People's Republic of Korea, Fiji, India, Indonesia, Japan, Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Malaysia, Maldives, Micronesia (Federated States of), Mongolia, Myanmar, Nepal, New Zealand, Pakistan, Papua New Guinea, Republic of Korea, Samoa, Sri Lanka, Thailand and Viet Nam.

[215] A/59/169.

Appreciating highly the overall support that Nepal has extended as the host nation of the headquarters of the Regional Centre,

1. *Reaffirms its strong support* for the forthcoming operation and further strengthening of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific;

2. *Underlines* the importance of the Kathmandu process as a powerful vehicle for the development of the practice of region-wide security and disarmament dialogue;

3. *Expresses its appreciation* for the continuing political support and voluntary financial contributions to the Regional Centre, which are essential for its continued operation;

4. *Appeals* to Member States, in particular those within the Asia-Pacific region, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions, the only resources of the Regional Centre, to strengthen the programme of activities of the Centre and the implementation thereof;

5. *Requests* the Secretary-General, taking note of paragraph 6 of General Assembly resolution 49/76 D of 15 December 1994, to provide the Regional Centre with the necessary support, within existing resources, in carrying out its programme of activities;

6. *Urges* the Secretary-General to ensure the physical operation of the Regional Centre from Kathmandu within six months of the date of signature of the host country agreement and to enable the Centre to function effectively;

7. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific".

RESOLUTION 59/101

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/460, para. 25)[216]

59/101. United Nations Regional Centre for Peace and Disarmament in Africa

The General Assembly,

Mindful of the provisions of Article 11, paragraph 1, of the Charter of the United Nations stipulating that a function of the General Assembly is to consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and arms limitation,

Recalling its resolutions 40/151 G of 16 December 1985, 41/60 D of 3 December 1986, 42/39 J of 30 November 1987 and 43/76 D of 7 December 1988 on the United Nations Regional Centre for Peace and Disarmament in Africa, and its resolutions 46/36 F of 6 December 1991 and 47/52 G of 9 December 1992 on regional disarmament, including confidence-building measures,

Recalling also its resolutions 48/76 E of 16 December 1993, 49/76 D of 15 December 1994, 50/71 C of 12 December 1995, 51/46 E of 10 December 1996, 52/220 of 22 December 1997, 53/78 C of 4 December 1998, 54/55 B of 1 December 1999, 55/34 D of 20 November 2000, 56/25 D of 29 November 2001, 57/91 of 22 November 2002 and 58/61 of 8 December 2003,

Aware of the widespread support for the activities of the Regional Centre and the important role that the Centre can play in the present context in promoting confidence-building and arms-limitation measures at the regional level, thereby promoting progress in the area of sustainable development,

Taking note of the report of the Secretary-General,[217] in which it was stated that the Regional Centre received an increasing number of requests from Member States in the African region for substantive support for several peace initiatives and conflict resolution activities in the region,

Taking note also of the fact that, as noted in the report of the Secretary-General, very limited financial contributions were made to the Regional Centre despite continued fund-raising efforts,

Concerned that the continuing financial difficulties faced by the Regional Centre have impaired its ability to realize its full potential and to fulfil its mandate adequately,

Bearing in mind the efforts undertaken to mobilize the necessary resources for the operational costs of the Regional Centre,

Taking into account the need to establish close cooperation between the Regional Centre and the Mechanism for Conflict Prevention, Management and Resolution of the

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[216] The draft resolution recommended in the report was sponsored in the Committee by Nigeria (on behalf of the States Members of the United Nations that are members of the Group of African States) and Somalia.

[217] A/59/209

African Union, in conformity with the decision adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-fifth ordinary session, held at Algiers from 12 to 14 July 1999,[218]

1. *Commends* the activities that the United Nations Regional Centre for Peace and Disarmament in Africa is continuing to carry out, in particular in support of the efforts made by the African States in the areas of peace and security;

2. *Reaffirms its strong support* for the Regional Centre, and emphasizes the need to provide it with the necessary resources to enable it to strengthen its activities and carry out its programmes;

3. *Appeals once again* to all States, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions in order to strengthen the programmes and activities of the Regional Centre and facilitate their implementation;

4. *Requests* the Secretary-General to continue to provide the necessary support to the Regional Centre for better achievements and results;

5. *Also requests* the Secretary-General to facilitate close cooperation between the Regional Centre and the African Union, in particular in the areas of peace, security and development, and to continue to assist the Director of the Regional Centre in his efforts to stabilize the financial situation of the Centre;

6. *Appeals in particular* to the Regional Centre, in cooperation with the African Union, regional and subregional organizations and the African States, to take steps to promote the consistent implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;[219]

7. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "United Nations Regional Centre for Peace and Disarmament in Africa".

RESOLUTION 59/102

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/460, para. 25),[220] by a recorded vote of 125 to 48, with 12 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Azerbaijan, Japan, Kazakhstan, Kyrgyzstan, Republic of Korea, Republic of Moldova, Russian Federation, Tajikistan, Ukraine, Uzbekistan

59/102. Convention on the Prohibition of the Use of Nuclear Weapons

The General Assembly,

Convinced that the use of nuclear weapons poses the most serious threat to the survival of mankind,

Bearing in mind the advisory opinion of the International Court of Justice of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*,[221]

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[218] A/54/424, annex II, decision AHG/Dec.138 (XXXV). On 8 July 2002, the Organization of African Unity ceased to exist and, in its place, the African Union came into force on 9 July 2002.

[219] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[220] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Bhutan, Brunei Darussalam, Burkina Faso, Cambodia, Colombia, Congo, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Fiji, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Myanmar, Namibia, Nepal, Papua New Guinea, Sudan, Viet Nam and Zambia.

[221] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

Convinced that a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons would contribute to the elimination of the nuclear threat and to the climate for negotiations leading to the ultimate elimination of nuclear weapons, thereby strengthening international peace and security,

Conscious that some steps taken by the Russian Federation and the United States of America towards a reduction of their nuclear weapons and the improvement in the international climate can contribute towards the goal of the complete elimination of nuclear weapons,

Recalling that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly,[222] it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and that would preclude the use or threat of use of nuclear weapons,

Reaffirming that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,

Determined to achieve an international convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,

Stressing that an international convention on the prohibition of the use of nuclear weapons would be an important step in a phased programme towards the complete elimination of nuclear weapons, with a specified framework of time,

Noting with regret that the Conference on Disarmament, during its 2004 session, was unable to undertake negotiations on this subject as called for in General Assembly resolution 58/64 of 8 December 2003,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances;

2. *Requests* the Conference on Disarmament to report to the General Assembly on the results of those negotiations.

RESOLUTION 59/103

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/460, para. 25)[223]

59/103. United Nations Disarmament Information Programme

The General Assembly,

Recalling its decision taken in 1982 at its twelfth special session, the second special session devoted to disarmament, by which the World Disarmament Campaign was launched,[224]

Bearing in mind its resolution 47/53 D of 9 December 1992, in which it decided, inter alia, that the World Disarmament Campaign should be known thereafter as the "United Nations Disarmament Information Programme" and the World Disarmament Campaign Voluntary Trust Fund as the "Voluntary Trust Fund for the United Nations Disarmament Information Programme",

Recalling its resolutions 51/46 A of 10 December 1996, 53/78 E of 4 December 1998, 55/34 A of 20 November 2000 and 57/90 of 22 November 2002,

Welcoming the report of the Secretary-General on the United Nations Disarmament Information Programme,[225]

1. *Takes note with appreciation* of the report of the Secretary-General on the United Nations Disarmament Information Programme;[225]

2. *Commends* the Secretary-General for his efforts to make effective use of the limited resources available to him in disseminating as widely as possible, including by electronic means, information on arms limitation and disarmament to Governments, the media, non-governmental organizations, educational communities and research institutes, and in carrying out a seminar and conference programme;

3. *Stresses* the importance of the Programme as a significant instrument in enabling all Member States to participate fully in the deliberations and negotiations on disarmament in the various United Nations bodies, in assisting them in complying with treaties, as required, and in contributing to agreed mechanisms for transparency;

4. *Notes* the results of the survey of users of *The United Nations Disarmament Yearbook*;

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[222] See resolution S-10/2.

[223] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, France, Guatemala, Indonesia, Liberia, Mexico, Myanmar, New Zealand, Pakistan, Paraguay, Peru, Philippines, Sierra Leone, South Africa and Uruguay.

[224] See *Official Records of the General Assembly, Twelfth Special Session, Plenary Meetings*, 1st meeting, paras. 110 and 111.

[225] A/59/171.

5. *Notes with appreciation* the cooperation of the Department of Public Information of the Secretariat and its information centres in pursuit of the objectives of the Programme;

6. *Recommends* that the Programme continue to inform, educate and generate public understanding of the importance of multilateral action and support for it, including action by the United Nations and the Conference on Disarmament, in the field of arms limitation and disarmament, in a factual, balanced and objective manner, and that it focus its efforts:

(*a*) To continue to publish in all official languages *The United Nations Disarmament Yearbook* and to increase its dissemination by posting the 2002 and 2003 English editions on the Internet;

(*b*) To continue to maintain the Disarmament web site as a part of the United Nations web site and to produce versions of the site in as many official languages as feasible;

(*c*) To continue to intensify United Nations interaction with the public, principally non-governmental organizations and research institutes, to help further an informed debate on topical issues of arms limitation, disarmament and security;

(*d*) To continue to organize discussions on topics of interest in the field of arms limitation and disarmament with a view to broadening understanding and facilitating an exchange of views and information among Member States and civil society;

7. *Invites* all Member States to make contributions to the Voluntary Trust Fund for the United Nations Disarmament Information Programme with a view to sustaining a strong outreach programme;

8. *Takes note* of the recommendations contained in the report of the Secretary-General,[226] which reviews the implementation of the recommendations made in the 2002 study on disarmament and non-proliferation education;[227]

9. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report covering both the implementation of the activities of the Programme by the United Nations system during the previous two years and the activities of the Programme contemplated by the system for the following two years;

10. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "United Nations Disarmament Information Programme".

RESOLUTION 59/104

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/461, para. 9)[228]

59/104. Report of the Conference on Disarmament

The General Assembly,

Having considered the report of the Conference on Disarmament,[229]

Convinced that the Conference on Disarmament, as the single multilateral disarmament negotiating forum of the international community, has the primary role in substantive negotiations on priority questions of disarmament,

Recognizing the need to conduct multilateral negotiations with the aim of reaching agreement on concrete issues,

Recalling, in this respect, that the Conference has a number of urgent and important issues for negotiation,

Taking note of active discussions held on the programme of work during the 2004 session of the Conference, as duly reflected in the report and the records of the plenary meetings,

Taking note also of significant contributions made during the 2004 session to promote substantive discussions on issues on the agenda, as well as of discussions held on other issues that could also be relevant to the current international security environment,

Stressing the urgent need for the Conference to commence its substantive work at the beginning of its 2005 session,

Taking note of the decision reached on 12 February 2004 with regard to enhancement of the engagement of civil society in the work of the Conference[230] and the statement by the President made thereafter,[231]

1. *Reaffirms* the role of the Conference on Disarmament as the single multilateral disarmament negotiating forum of the international community;

2. *Calls upon* the Conference to intensify consultations and explore possibilities with a view to reaching an agreement on a programme of work;

3. *Takes note* of the strong collective interest of the Conference in commencing substantive work as soon as possible during its 2005 session;

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[226] A/59/178 and Add.1.

[227] A/57/124.

[228] The draft resolution recommended in the report was sponsored in the Committee by Myanmar.

[229] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 27* (A/59/27).

[230] Ibid., para. 19.

[231] Ibid., para. 20.

4. *Welcomes* the decision of the Conference to request its current President and the incoming President to conduct consultations during the intersessional period and, if possible, to make recommendations, taking into account all relevant proposals, including those submitted as the documents of the Conference, views presented and discussions held, and to endeavour to keep the membership of the Conference informed, as appropriate, of their consultations, as expressed in paragraph 46 of its report;[229]

5. *Requests* all States members of the Conference to cooperate with the current President and successive Presidents in their efforts to guide the Conference to the early commencement of substantive work in its 2005 session;

6. *Requests* the Secretary-General to continue to ensure the provision to the Conference of adequate administrative, substantive and conference support services;

7. *Requests* the Conference to submit a report on its work to the General Assembly at its sixtieth session;

8. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Report of the Conference on Disarmament".

RESOLUTION 59/105

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/461, para. 9)[232]

59/105. Report of the Disarmament Commission

The General Assembly,

Having considered the report of the Disarmament Commission,[233]

Recalling its resolutions 47/54 A of 9 December 1992, 47/54 G of 8 April 1993, 48/77 A of 16 December 1993, 49/77 A of 15 December 1994, 50/72 D of 12 December 1995, 51/47 B of 10 December 1996, 52/40 B of 9 December 1997, 53/79 A of 4 December 1998, 54/56 A of 1 December 1999, 55/35 C of 20 November 2000, 56/26 A of 29 November 2001, 57/95 of 22 November 2002 and 58/67 of 8 December 2003,

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions adopted by the General Assembly at its tenth special session,

Bearing in mind its decision 52/492 of 8 September 1998,

1. *Takes note* of the report of the Disarmament Commission;[233]

2. *Reaffirms* the importance of further enhancing the dialogue and cooperation among the First Committee of the General Assembly, the Disarmament Commission and the Conference on Disarmament;

3. *Also reaffirms* the role of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

4. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly,[234] and with paragraph 3 of Assembly resolution 37/78 H of 9 December 1982, and to that end to make every effort to achieve specific recommendations on the items on its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission";[235]

5. *Recommends* that the Disarmament Commission consider the following items at its 2005 substantive session:

(*a*) [To be determined];

(*b*) [To be determined];

6. *Requests* the Disarmament Commission to meet for a period not exceeding three weeks during 2005, namely, from 18 July to 5 August, and to submit a substantive report to the General Assembly at its sixtieth session;

7. *Requests* the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament,[236] together with all the official records of the fifty-ninth session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

8. *Also requests* the Secretary-General to ensure full provision to the Disarmament Commission and its subsidiary bodies of interpretation and translation facilities in the official languages and to assign, as a matter of priority, all the necessary resources and services, including verbatim records, to that end.

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[232] The draft resolution recommended in the report was sponsored in the Committee by: Bosnia and Herzegovina, Costa Rica, Côte d'Ivoire, Georgia, Ireland, Israel, Kazakhstan, Peru, Republic of Korea and Uzbekistan.

[233] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 42* (A/59/42).

[234] Resolution S-10/2.

[235] A/CN.10/137.

[236] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 27* (A/59/27).

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Report of the Disarmament Commission".

RESOLUTION 59/106

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/462 para. 7),[237] by a recorded vote of 170 to 5, with 9 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Australia, Cameroon, Ethiopia, India, Nauru, Papua New Guinea, Tonga, Trinidad and Tobago, Vanuatu

59/106. The risk of nuclear proliferation in the Middle East

The General Assembly,

Bearing in mind its relevant resolutions,

Taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency, the latest of which is resolution GC(48)/RES/16, adopted on 24 September 2004,[238]

Cognizant that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

Mindful of the immediate need for placing all nuclear facilities in the region of the Middle East under full-scope safeguards of the International Atomic Energy Agency,

Recalling the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995,[239] in which the Conference urged universal adherence to the Treaty as an urgent priority and called upon all States not yet parties to the Treaty to accede to it at the earliest date, particularly those States that operate unsafeguarded nuclear facilities,

Recognizing with satisfaction that, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference undertook to make determined efforts towards the achievement of the goal of universality of the Treaty on the Non-Proliferation of Nuclear Weapons, called upon those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards on all their nuclear activities, and underlined the necessity of universal adherence to the Treaty and of strict compliance by all parties with their obligations under the Treaty,[240]

Recalling the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995,[241] in which the Conference noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty and called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope International Atomic Energy Agency safeguards,

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[237] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Egypt, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen.

[238] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-eighth Regular Session, 20–24 September 2004* (GC(48)/RES/DEC(2004)).

[239] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex, decision 2.

[240] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article IX".

[241] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

Noting that Israel remains the only State in the Middle East that has not yet become party to the Treaty on the Non-Proliferation of Nuclear Weapons,[242]

Concerned about the threats posed by the proliferation of nuclear weapons to the security and stability of the Middle East region,

Stressing the importance of taking confidence-building measures, in particular the establishment of a nuclear-weapon-free zone in the Middle East, in order to enhance peace and security in the region and to consolidate the global non-proliferation regime,

Emphasizing the need for all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, inviting the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons and, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards,

Noting that one hundred and seventy-three States have signed the Comprehensive Nuclear-Test-Ban Treaty,[243] including a number of States in the region,

1. *Welcomes* the conclusions on the Middle East of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;[244]

2. *Reaffirms* the importance of Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons[242] and placement of all its nuclear facilities under comprehensive International Atomic Energy Agency safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East;

3. *Calls upon* that State to accede to the Treaty on the Non-Proliferation of Nuclear Weapons without further delay and not to develop, produce, test or otherwise acquire nuclear weapons, and to renounce possession of nuclear weapons, and to place all its unsafeguarded nuclear facilities under full-scope International Atomic Energy Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

4. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "The risk of nuclear proliferation in the Middle East".

RESOLUTION 59/107

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/463, para. 8)[245]

59/107. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons, Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolution 58/69 of 8 December 2003,

Recalling with satisfaction the adoption and the entry into force of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[246] and the Protocol on Non-Detectable Fragments (Protocol I),[246] the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)[246] and its amended version,[247] the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III)[246] and the Protocol on Blinding Laser Weapons (Protocol IV),[248]

Recalling the decision by the Second Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects to establish an open-ended group of governmental experts with two separate coordinators on explosive remnants of war and on mines other than anti-personnel mines,[249]

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[242] United Nations, *Treaty Series*, vol. 729, No. 10485.

[243] See resolution 50/245.

[244] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VII and the security of non-nuclear-weapon States", para. 16.

[245] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Grenada, Haiti, Hungary, Iceland, India, Ireland, Israel, Italy, Kazakhstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of).

[246] See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

[247] CCW/CONF.I/16 (Part I), annex B.

[248] Ibid., annex A.

Recalling also the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols thereto, and welcoming the particular efforts of various international, non-governmental and other organizations in raising awareness of the humanitarian consequences of explosive remnants of war,

1. *Calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects[246] and the Protocols thereto, as amended, with a view to achieving the widest possible adherence to these instruments at an early date, and so as to ultimately achieve their universality;

2. *Calls upon* all States parties to the Convention that have not yet done so to express their consent to be bound by the Protocols to the Convention and the amendment extending the scope of the Convention and the Protocols thereto to include armed conflicts of a non-international character;

3. *Welcomes with satisfaction* the adoption of the Protocol on Explosive Remnants of War (Protocol V)[250] at the Meeting of the States Parties held at Geneva on 27 and 28 November 2003, and calls upon the States parties to express their consent to be bound by the Protocol and to notify the depositary at an early date of their consent;

4. *Notes* the decision of the Meeting of the States Parties that the Working Group on Explosive Remnants of War would continue its work in 2004 with the mandate to continue to consider the implementation of existing principles of international humanitarian law and to further study, on an open-ended basis, and initially with particular emphasis on meetings of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimizing the humanitarian risk of these munitions becoming explosive remnants of war;[251]

5. *Also notes* the decision of the Meeting of the States Parties that the Working Group on Mines Other Than Anti-Personnel Mines would continue its work in 2004 with the mandate to consider all proposals on mines other than anti-personnel mines put forward since the establishment of the Group of Governmental Experts;[252]

6. *Further notes* the decision of the Meeting of the States Parties that the Chairman-designate should continue to undertake consultations during the intersessional period on possible options to promote compliance with the Convention and the Protocols thereto, taking into account proposals put forward;[253]

7. *Expresses support* for the work conducted by the Group of Governmental Experts, and encourages the Chairman-designate and the Group to conduct work, in accordance with the mandate for 2004, with the aim of elaborating appropriate recommendations on mines other than anti-personnel mines, for submission to the Meeting of the States Parties on 18 and 19 November 2004, and to report on the work done on compliance, as well as on the implementation of existing principles of international humanitarian law and on possible preventive technical measures in relation to explosive remnants of war;

8. *Recalls* the decision of the Second Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects to convene a further conference not later than 2006, with preparatory meetings starting as early as 2005, if necessary,[249] and requests the Meeting of the States Parties on 18 and 19 November 2004 to consider this issue;

9. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for the Meeting of the States Parties on 18 and 19 November 2004, as well as for any possible continuation of work after the Meeting, should the States parties deem it appropriate;

10. *Also requests* the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, to continue to inform the General Assembly periodically, by electronic means, of ratifications and acceptances of and accessions to the Convention and the Protocols thereto;

11. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

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[249] See CCW/CONF.II/2 and Corr.1, part II.

[250] See CCW/MSP/2003/3, appendix II.

[251] Ibid., para. 26 and appendix III.

[252] Ibid., para. 27 and appendix IV.

[253] Ibid., para. 28.

RESOLUTION 59/108

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/464, para. 7)[254]

59/108. Strengthening of security and cooperation in the Mediterranean region

The General Assembly,

Recalling its previous resolutions on the subject, including resolution 58/70 of 8 December 2003,

Reaffirming the primary role of the Mediterranean countries in strengthening and promoting peace, security and cooperation in the Mediterranean region,

Bearing in mind all the previous declarations and commitments, as well as all the initiatives taken by the riparian countries at the recent summits, ministerial meetings and various forums concerning the question of the Mediterranean region,

Recognizing the indivisible character of security in the Mediterranean and that the enhancement of cooperation among Mediterranean countries with a view to promoting the economic and social development of all peoples of the region will contribute significantly to stability, peace and security in the region,

Recognizing also the efforts made so far and the determination of the Mediterranean countries to intensify the process of dialogue and consultations with a view to resolving the problems existing in the Mediterranean region and to eliminating the causes of tension and the consequent threat to peace and security, and their growing awareness of the need for further joint efforts to strengthen economic, social, cultural and environmental cooperation in the region,

Recognizing further that prospects for closer Euro-Mediterranean cooperation in all spheres can be enhanced by positive developments worldwide, in particular in Europe, in the Maghreb and in the Middle East,

Reaffirming the responsibility of all States to contribute to the stability and prosperity of the Mediterranean region and their commitment to respecting the purposes and principles of the Charter of the United Nations as well as the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[255]

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Expressing its concern at the persistent tension and continuing military activities in parts of the Mediterranean that hinder efforts to strengthen security and cooperation in the region,

Taking note of the report of the Secretary-General,[256]

1. *Reaffirms* that security in the Mediterranean is closely linked to European security as well as to international peace and security;

2. *Expresses its satisfaction* at the continuing efforts by Mediterranean countries to contribute actively to the elimination of all causes of tension in the region and to the promotion of just and lasting solutions to the persistent problems of the region through peaceful means, thus ensuring the withdrawal of foreign forces of occupation and respecting the sovereignty, independence and territorial integrity of all countries of the Mediterranean and the right of peoples to self-determination, and therefore calls for full adherence to the principles of non-interference, non-intervention, non-use of force or threat of use of force and the inadmissibility of the acquisition of territory by force, in accordance with the Charter of the United Nations and the relevant resolutions of the United Nations;

3. *Commends* the Mediterranean countries for their efforts in meeting common challenges through coordinated overall responses, based on a spirit of multilateral partnership, towards the general objective of turning the Mediterranean basin into an area of dialogue, exchanges and cooperation, guaranteeing peace, stability and prosperity, encourages them to strengthen such efforts through, inter alia, a lasting multilateral and action-oriented cooperative dialogue among States of the region, and recognizes the role of the United Nations in promoting regional and international peace and security;

4. *Recognizes* that the elimination of the economic and social disparities in levels of development and other obstacles as well as respect and greater understanding among cultures in the Mediterranean area will contribute to enhancing peace, security and cooperation among Mediterranean countries through the existing forums;

5. *Calls upon* all States of the Mediterranean region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament

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[254] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Jordan, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Monaco, Morocco, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, Zambia and Zimbabwe.

[255] Resolution 2625 (XXV), annex.

[256] A/59/130 and Add.1.

and non-proliferation, thus creating the necessary conditions for strengthening peace and cooperation in the region;

6. *Encourages* all States of the region to favour the necessary conditions for strengthening the confidence-building measures among them by promoting genuine openness and transparency on all military matters, by participating, inter alia, in the United Nations system for the standardized reporting of military expenditures and by providing accurate data and information to the United Nations Register of Conventional Arms;[257]

7. *Encourages* the Mediterranean countries to strengthen further their cooperation in combating terrorism in all its forms and manifestations, taking into account the relevant resolutions of the United Nations, and in combating international crime and illicit arms transfers and illicit drug production, consumption and trafficking, which pose a serious threat to peace, security and stability in the region and therefore to the improvement of the current political, economic and social situation and which jeopardize friendly relations among States, hinder the development of international cooperation and result in the destruction of human rights, fundamental freedoms and the democratic basis of pluralistic society;

8. *Requests* the Secretary-General to submit a report on means to strengthen security and cooperation in the Mediterranean region;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Strengthening of security and cooperation in the Mediterranean region".

RESOLUTION 59/109

Adopted at the 66th plenary meeting, on 3 December 2004, on the recommendation of the Committee (A/59/465 para. 8),[258] by a recorded vote of 177 to 2, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Palau, United States of America

Abstaining: Colombia, India, Mauritius, Syrian Arab Republic

59/109. Comprehensive Nuclear-Test-Ban Treaty

The General Assembly,

Reiterating that the cessation of nuclear-weapon test explosions or any other nuclear explosions constitutes an effective nuclear disarmament and non-proliferation measure,

Recalling that the Comprehensive Nuclear-Test-Ban Treaty, adopted by its resolution 50/245 of 10 September 1996, was opened for signature on 24 September 1996,

Stressing that a universal and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty constitutes a fundamental instrument in the field of nuclear disarmament and non-proliferation,

Encouraged by the signing of the Treaty by one hundred and seventy-three States, including forty-one of the forty-four needed for its entry into force, and welcoming the ratification of one hundred and nineteen States, including thirty-three of the forty-four needed for its entry into force, among which there are three nuclear-weapon States,

Recalling its resolution 58/71 of 8 December 2003,

Welcoming the Joint Ministerial Statement reaffirming support for the Comprehensive Nuclear-Test-Ban Treaty, signed in New York on 23 September 2004,

1. *Stresses* the importance and urgency of signature and ratification, without delay and without conditions, to achieve the earliest entry into force of the Comprehensive Nuclear-Test-Ban Treaty;

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[257] See resolution 46/36 L.

[258] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Armenia, Australia, Austria, Bangladesh, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Canada, Central African Republic, China, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gabon, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Malaysia, Malta, Mexico, Monaco, Mongolia, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Russian Federation, Samoa, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of) and Zambia.

2. *Welcomes* the contributions by the States signatories to the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, in particular its efforts to ensure that the Treaty's verification regime will be capable of meeting the verification requirements of the Treaty upon its entry into force, in accordance with article IV of the Treaty;

3. *Underlines* the need to maintain momentum towards completion of the verification regime;

4. *Calls upon* all States to maintain their moratoriums on nuclear-weapons test explosions or any other nuclear explosions and to refrain from acts that would defeat the object and purpose of the Treaty;

5. *Calls upon* all States that have not yet signed the Treaty to sign and ratify it as soon as possible;

6. *Calls upon* all States that have signed but not yet ratified the Treaty, in particular those whose ratification is needed for its entry into force, to accelerate their ratification processes with a view to their earliest successful conclusion;

7. *Urges* all States to remain seized of the issue at the highest political level;

8. *Requests* the Secretary-General, in consultation with the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, to prepare a report on the efforts of States that have ratified the Treaty towards its universalization and possibilities for providing assistance on ratification procedures to States that so request it, and to submit such a report to the General Assembly at its sixtieth session;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Comprehensive Nuclear-Test-Ban Treaty".

RESOLUTION 59/110

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/466, para. 8)[259]

59/110. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Noting with satisfaction that there are one hundred and fifty-two States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[260] including all of the permanent members of the Security Council,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Review Conferences, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[261] and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

Welcoming the reaffirmation made in the Final Declaration of the Fourth Review Conference[262] that under all circumstances the use of bacteriological (biological) and toxin weapons and their development, production and stockpiling are effectively prohibited under article I of the Convention,

Recalling the decision reached at the Fifth Review Conference to hold three annual meetings of the States parties of one week's duration each year commencing in 2003 until the Sixth Review Conference and to hold a two-week meeting of experts to prepare for each meeting of the States parties,[263]

1. *Notes with satisfaction* the increase in the number of States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[260] reaffirms the call upon all signatory States that have not yet ratified the Convention to do so without delay, and calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

2. *Welcomes* the information and data provided to date, and reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention;[261]

3. *Recalls* the decision reached at the Fifth Review Conference[263] to discuss and promote common understanding and effective action in 2003 on the two topics of the adoption of necessary national measures to implement the prohibitions set forth in the Convention, including the enactment of penal

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[259] The draft resolution recommended in the report was sponsored in the Committee by Hungary.

[260] Resolution 2826 (XXVI), annex.

[261] BWC/CONF.III/23, part II.

[262] BWC/CONF.IV/9, part II.

[263] See BWC/CONF.V/17, para. 18.

legislation, and national mechanisms to establish and maintain the security and oversight of pathogenic micro-organisms and toxins; in 2004 on the two topics of enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease, and strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals and plants; and in 2005 on the topic of the content, promulgation and adoption of codes of conduct for scientists; and calls upon the States parties to the Convention to participate in its implementation;

4. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences, including all necessary assistance to the annual meetings of the States parties and the meetings of experts;

5. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

III. Resolutions adopted on the reports of the Special Political and Decolonization Committee (Fourth Committee)

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RESOLUTION 59/114

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the recommendation of the Committee (A/59/468, para. 7)[1]

59/114. Effects of atomic radiation

The General Assembly,

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, including resolution 58/88 of 9 December 2003, in which, inter alia, it requested the Scientific Committee to continue its work,

Taking note with appreciation of the work of the Scientific Committee,

Reaffirming the desirability of the Scientific Committee continuing its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which mankind and the environment are exposed,

Noting the views expressed by Member States at its fifty-ninth session with regard to the work of the Scientific Committee,

Noting with satisfaction that some Member States have expressed particular interest in becoming members of the Scientific Committee, and expressing its intention to consider the issue further at its next session,

Conscious of the continuing need to examine and compile information about atomic and ionizing radiation and to analyse its effects on mankind and the environment,

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making in the course of the past forty-nine years, since its inception, to wider knowledge and understanding of the levels, effects and risks of ionizing radiation, and for fulfilling its original mandate with scientific authority and independence of judgement;

2. *Reaffirms* the decision to maintain the present functions and independent role of the Scientific Committee;

3. *Requests* the Scientific Committee to continue its work, including its important activities to increase knowledge of the levels, effects and risks of ionizing radiation from all sources, and invites the Scientific Committee to submit its programme of work to the General Assembly;

4. *Endorses* the intentions and plans of the Scientific Committee for its future activities of scientific review and assessment on behalf of the General Assembly;

5. *Requests* the Scientific Committee to continue at its next session the review of the important problems in the field of ionizing radiation and to report thereon to the General Assembly at its sixtieth session;

6. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the work of the Scientific Committee and for the dissemination of its findings to the General Assembly, the scientific community and the public;

7. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations, and invites them to increase their cooperation in this field;

8. *Invites* the Scientific Committee to continue its consultations with scientists and experts from interested Member States in the process of preparing its future scientific reports;

9. *Welcomes*, in this context, the readiness of Member States to provide the Scientific Committee with relevant information on the effects of ionizing radiation in affected areas, and invites the Scientific Committee to analyse and give due consideration to such information, particularly in the light of its own findings;

10. *Invites* Member States, the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help in the preparation of future reports of the Scientific Committee to the General Assembly;

11. *Urges* the United Nations Environment Programme to review and strengthen the present funding of the Scientific Committee, pursuant to paragraph 6 of resolution 58/88, so that the Committee can discharge the responsibilities and mandate entrusted to it by the General Assembly;

12. *Emphasizes* the need for the Scientific Committee to hold regular sessions on an annual basis so that its report can reflect the latest developments and findings in the field of ionizing radiation and thereby provide updated information for dissemination among all States.

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[1] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Armenia, Australia, Austria, Belarus, Belgium, Brazil, Brunei Darussalam, Canada, China, Cuba, Czech Republic, Dominican Republic, Ecuador, Finland, France, Greece, Guatemala, Iceland, India, Ireland, Israel, Japan, Kazakhstan, Malaysia, Mexico, Monaco, Netherlands, Norway, Peru, Poland, Singapore, Slovakia, Sweden, Thailand, Ukraine and United Kingdom of Great Britain and Northern Ireland.

RESOLUTION 59/115

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the recommendation of the Committee (A/59/469, para. 14)[2]

59/115. Application of the concept of the "launching State"

The General Assembly,

Recalling the Convention on International Liability for Damage Caused by Space Objects[3] and the Convention on Registration of Objects Launched into Outer Space,[4]

Bearing in mind that the term "launching State" as used in the Liability Convention and the Registration Convention is important in space law, that a launching State shall register a space object in accordance with the Registration Convention and that the Liability Convention identifies those States which may be liable for damage caused by a space object and which would have to pay compensation in such a case,

Taking note of the report of the Committee on the Peaceful Uses of Outer Space on its forty-second session[5] and the report of the Legal Subcommittee on its forty-first session, in particular the conclusions of the Working Group on the agenda item entitled "Review of the concept of the 'launching State'" annexed to the report of the Legal Subcommittee,[6]

Noting that nothing in the conclusions of the Working Group or in the present resolution constitutes an authoritative interpretation of or a proposed amendment to the Registration Convention or the Liability Convention,

Noting also that changes in space activities since the Liability Convention and the Registration Convention entered into force include the continuous development of new technologies, an increase in the number of States carrying out space activities, an increase in international cooperation in the peaceful uses of outer space and an increase in space activities carried out by non-governmental entities, including activities carried out jointly by government agencies and non-governmental entities, as well as partnerships formed by non-governmental entities from one or more countries,

Desirous of facilitating adherence to and the application of the provisions of the United Nations treaties on outer space, in particular the Liability Convention and the Registration Convention,

1. *Recommends* that States conducting space activities, in fulfilling their international obligations under the United Nations treaties on outer space, in particular the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[7] the Convention on International Liability for Damage Caused by Space Objects[3] and the Convention on Registration of Objects Launched into Outer Space,[4] as well as other relevant international agreements, consider enacting and implementing national laws authorizing and providing for continuing supervision of the activities in outer space of non-governmental entities under their jurisdiction;

2. *Also recommends* that States consider the conclusion of agreements in accordance with the Liability Convention with respect to joint launches or cooperation programmes;

3. *Further recommends* that the Committee on the Peaceful Uses of Outer Space invite Member States to submit information on a voluntary basis on their current practices regarding on-orbit transfer of ownership of space objects;

4. *Recommends* that States consider, on the basis of that information, the possibility of harmonizing such practices as appropriate with a view to increasing the consistency of national space legislation with international law;

5. *Requests* the Committee on the Peaceful Uses of Outer Space, in making full use of the functions and resources of the Secretariat, to continue to provide States, at their request, with relevant information and assistance in developing national space laws based on the relevant treaties.

RESOLUTION 59/116

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the recommendation of the Committee (A/59/469, para. 14)[8]

59/116. International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolutions 51/122 of 13 December 1996, 54/68 of 6 December 1999 and 58/89 of 9 December 2003,

Deeply convinced of the common interest of mankind in promoting and expanding the exploration and use of outer space, as the province of all mankind, for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

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[2] The draft resolution recommended in the report was introduced in the Committee by Nigeria (on behalf of the Working Group of the Whole on International Cooperation in the Peaceful Uses of Outer Space).

[3] Resolution 2777 (XXVI), annex.

[4] Resolution 3235 (XXIX), annex.

[5] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 20* and corrigendum (A/54/20 and Corr.1).

[6] A/AC.105/787, annex IV, appendix.

[7] Resolution 2222 (XXI), annex.

[8] The draft resolution recommended in the report was sponsored in the Committee by Nigeria (on behalf of the Working Group of the Whole on International Cooperation in the Peaceful Uses of Outer Space).

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes, and of the widest possible adherence to international treaties that promote the peaceful uses of outer space in order to meet emerging new challenges, especially for developing countries,

Seriously concerned about the possibility of an arms race in outer space, and bearing in mind the importance of article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[9]

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion and strengthening of international cooperation in the exploration and use of outer space for peaceful purposes,

Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and applications as well as in various national and cooperative space projects, which contributes to international cooperation, and the importance of further developing the legal framework to strengthen international cooperation in this field,

Convinced of the importance of the recommendations in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development", adopted by the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), held at Vienna from 19 to 30 July 1999,[10] and the need to promote the use of space technology towards implementing the United Nations Millennium Declaration,[11]

Convinced also that the use of space science and technology and their applications, in such areas as telemedicine, tele-education and disaster management, and environmental protection as well as other Earth observation applications, contribute to achieving the objectives of the global conferences of the United Nations that address various aspects of economic, social and cultural development, inter alia, poverty eradication,

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its forty-seventh session,[12]

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space on the work of its forty-seventh session;[12]

2. *Urges* States that have not yet become parties to the international treaties governing the uses of outer space[13] to give consideration to ratifying or acceding to those treaties as well as incorporating them in their national legislation;

3. *Notes* that, at its forty-third session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space continued its work, as mandated by the General Assembly in its resolution 58/89;[14]

4. *Requests* the Secretary-General to send to the Ministers for Foreign Affairs of States that have not yet become parties to the above-mentioned international treaties, the letter[15] and document,[15] as endorsed by the Legal Subcommittee, encouraging their States to participate in those treaties, and to send a similar letter to intergovernmental organizations that have not yet declared their acceptance of the rights and obligations under those treaties;[16]

5. *Endorses* the recommendation of the Committee that the Legal Subcommittee, at its forty-fourth session, taking into account the concerns of all countries, in particular those of developing countries:

(*a*) Consider the following as regular agenda items:

(i) General exchange of views;

(ii) Status and application of the five United Nations treaties on outer space;

(iii) Information on the activities of international organizations relating to space law;

(iv) Matters relating to:

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[9] Resolution 2222 (XXI), annex.

[10] See *Report of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 19-30 July 1999* (United Nations publication, Sales No. E.00.I.3), chap. I, resolution 1.

[11] See resolution 55/2.

[12] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 20* and corrigenda (A/59/20 and Corr.1 and 2).

[13] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); and Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex).

[14] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 20* and corrigenda (A/59/20 and Corr.1 and 2), chap. II.D.

[15] A/AC.105/826, annex I, appendix I.

[16] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 20* and corrigenda (A/59/20 and Corr.1 and 2), chap. II.D, para. 150.

a. The definition and delimitation of outer space;

b. The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

(*b*) Consider the following single issues/items for discussion:

(i) Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;[17]

(ii) Examination of the preliminary draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment, opened for signature at Cape Town, South Africa, on 16 November 2001:

a. Considerations relating to the possibility of the United Nations serving as supervisory authority under the future protocol;

b. Considerations relating to the relationship between the terms of the future protocol and the rights and obligations of States under the legal regime applicable to outer space;

(*c*) Consider the practice of States and international organizations in registering space objects in accordance with the work plan adopted by the Committee;[18]

6. *Notes* that the Legal Subcommittee, at its forty-fourth session, will submit its proposals to the Committee for new items to be considered by the Subcommittee at its forty-fifth session in 2006;

7. *Also notes* that, in the context of paragraph 5 (*a*) (ii) above, the Legal Subcommittee at its forty-fourth session will reconvene its Working Group and review the need to extend the mandate of the Working Group beyond that session of the Subcommittee;

8. *Further notes* that, in the context of paragraph 5 (*a*) (iv) *a.* above, the Legal Subcommittee will reconvene its Working Group on the item only to consider matters relating to the definition and delimitation of outer space;

9. *Notes* that the Legal Subcommittee will reconvene its Working Group to consider the questions reflected in paragraphs 5 (*b*) (ii) *a.* and *b.* above separately;

10. *Endorses* the recommendation of the Legal Subcommittee, in the context of paragraph 5 (*b*) (ii) *a.* above, to establish an open-ended ad hoc working group to continue between the forty-third and forty-fourth sessions of the Subcommittee, the consideration of the question of the appropriateness of the United Nations acting as supervisory authority, and notes that the working group would prepare a report, including the text of a draft resolution, to be submitted to the Subcommittee for consideration at its forty-fourth session;[19]

11. *Agrees* that, in the context of paragraph 5 (*c*) above, the Legal Subcommittee should establish a working group in accordance with the work plan adopted by the Committee;[18]

12. Notes that the Scientific and Technical Subcommittee, at its forty-first session, continued its work as mandated by the General Assembly in its resolution 58/89;[20]

13. *Endorses* the recommendation of the Committee that the Scientific and Technical Subcommittee, at its forty-second session, taking into account the concerns of all countries, in particular those of developing countries:

(*a*) Consider the following items:

(i) General exchange of views and introduction to reports submitted on national activities;

(ii) United Nations Programme on Space Applications;

(iii) Implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III);

(iv) Matters relating to remote-sensing of the Earth by satellite, including applications for developing countries and monitoring of the Earth's environment;

(*b*) Consider the following items in accordance with the work plans adopted by the Committee:[21]

(i) Space debris;

(ii) Use of nuclear power sources in outer space;

(iii) Space-system-based telemedicine;

(iv) Near-Earth objects;

(v) Space-system-based disaster management support.

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[17] See resolution 47/68.

[18] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 199.

[19] Ibid., *Fifty-ninth Session, Supplement No. 20* and corrigenda (A/59/20 and Corr.1 and 2), para. 170.

[20] Ibid., chap. II.C.

[21] See A/AC.105/761, para. 139, and *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 20* and corrigenda (A/59/20 and Corr.1 and 2), paras. 141 and 144, for item (i); A/AC.105/804, annex III, for item (ii); *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 138, for item (iii); A/AC.105/823, annex II, para. 18, for item (iv); and A/AC.105/823, annex II, para. 15, for item (v).

(*c*) Consider the following single issues/items for discussion:

(i) Examination of the physical nature and technical attributes of the geostationary orbit and its utilization and applications, including, inter alia, in the field of space communications, as well as other questions relating to developments in space communications, taking particular account of the needs and interests of developing countries;

(ii) Support to proclaim the year 2007 the International Geophysical and Heliophysical Year;

14. *Notes* that the Scientific and Technical Subcommittee at its forty-second session will submit its proposal to the Committee for a draft provisional agenda for the forty-third session of the Subcommittee, in 2006;

15. *Endorses* the recommendation of the Committee that the Committee on Space Research and the International Astronautical Federation, in liaison with member States, be invited to arrange a symposium to address high-resolution and hyperspectral satellite data integration for precision farming, environmental monitoring and possible new applications, with as wide a participation as possible, to be held during the first week of the forty-second session of the Scientific and Technical Subcommittee;

16. *Agrees* that, in the context of paragraphs 13 (*a*) (ii) and (iii) and 14 above, the Scientific and Technical Subcommittee at its forty-second session should reconvene the Working Group of the Whole;

17. *Also agrees* that, in the context of paragraph 13 (*b*) (i) above, the Scientific and Technical Subcommittee, at its forty-second session, should reconvene the Working Group on Space Debris to consider, as necessary, the proposals of the Inter-Agency Space Debris Coordination Committee on space debris mitigation and any related comments that might be received;[22]

18. *Further agrees* that, in the context of paragraph 13 (*b*) (ii) above, the Scientific and Technical Subcommittee at its forty-second session, should reconvene its Working Group on the Use of Nuclear Power Sources in Outer Space;

19. *Endorses* the United Nations Programme on Space Applications for 2005, as proposed to the Committee by the Expert on Space Applications and endorsed by the Committee;[23]

20. *Notes with satisfaction* that, in accordance with paragraph 30 of General Assembly resolution 50/27 of 6 December 1995, the African regional centres for space science and technology education, in the French language and in the English language, located in Morocco and Nigeria, respectively, as well as the Centre for Space Science and Technology Education in Asia and the Pacific and the Regional Centre for Space Science and Technology Education for Latin America and the Caribbean, continued their education programmes in 2004, that all the above regional centres have entered into an affiliation agreement with the Office for Outer Space Affairs of the Secretariat, and that the Office is providing technical support to the Government of Jordan for the establishment of the regional centre for space science and technology education for Western Asia;

21. *Welcomes* the memorandum of understanding between the Office for Outer Space Affairs of the Secretariat and the Pro Tempore Secretariat of the Fourth Space Conference of the Americas, under which the parties demonstrated their intention to collaborate in promoting and implementing joint activities, and invites the Pro Tempore Secretariat to inform the Committee of the work accomplished;

22. *Notes with satisfaction* that the Government of Ecuador is considering positively hosting the Fifth Space Conference of the Americas, to be held in Quito in the second half of 2005 or in 2006, and that the convening of the Conference will be in accordance with the desire of Member States in the Latin American and Caribbean region to institutionalize the Space Conference of the Americas;

23. *Also notes with satisfaction* that concerning the report on the review of the implementation of the recommendations of UNISPACE III, the Committee, at its forty-seventh session, approved the draft report of the Committee as finalized by the Working Group which was reconvened at that session to prepare the report, and submitted the report to the General Assembly for use in its review and appraisal of the implementation of the recommendations of UNISPACE III at its fifty-ninth session;[24]

24. *Recommends* that more attention be paid and political support be provided to all matters relating to the protection and the preservation of the outer space environment, especially those potentially affecting the Earth's environment;

25. *Considers* that it is essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, also considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee, and

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[22] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 20* and corrigenda (A/59/20 and Corr.1 and 2), paras. 141 and 144.

[23] Ibid., para. 70; see also A/AC.105/815, sects. II-IV.

[24] See A/59/174.

agrees that international cooperation is needed to expand appropriate and affordable strategies to minimize the impact of space debris on future space missions;

26. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes;

27. *Emphasizes* the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, including mitigation of the consequences of disasters, in particular in the developing countries;

28. *Notes* that space science and technology and their applications could make important contributions to economic, social and cultural development and welfare as indicated in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development",[10] notes with satisfaction the convening of a conference entitled "International Conference on Space and Water: Towards Sustainable Development and Human Security" in the context of the International Air and Space Fair, held at Santiago de Chile from 29 March to 4 April 2004, and also notes that the next Fair will be held in 2006;

29. *Notes with satisfaction* the convening of the International Seminar on Satellite Technology Applications in Communications and Remote Sensing in Tehran, Islamic Republic of Iran, in October 2004 in cooperation with the Inter-Islamic Network on Space Sciences and Technology;

30. *Agrees* that the benefits of space technology and its applications should be prominently brought to the attention of conferences organized within the United Nations system to address global issues relating to social, economic and cultural development and that the use of space technology should be promoted towards achieving the objectives of those conferences and implementing the United Nations Millennium Declaration;[11]

31. *Notes with satisfaction* the increased efforts of the Committee and its Scientific and Technical Subcommittee as well as the Office for Outer Space Affairs and the Inter-Agency Meeting on Outer Space Activities to promote the use of space science and technology and their applications in carrying out actions recommended in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation")[25] and the joint initiative taken by the Committee and the Inter-Agency Meeting to compile a list of space-related initiatives and programmes that correspond to recommendations contained in the Johannesburg Plan of Implementation;[26]

32. *Notes* that space technology could play a central role in disaster reduction and that both the Committee and its Scientific and Technical Subcommittee could contribute to the follow-up to the World Conference on Disaster Reduction to be held in Kobe, Japan, in January 2005;

33. *Urges* entities of the United Nations system, particularly those participating in the Inter-Agency Meeting on Outer Space Activities, to examine, in cooperation with the Committee, how space science and technology and their applications could contribute to implementing the United Nations Millennium Declaration, particularly in the areas relating to, inter alia, food security and increasing opportunities for education;

34. *Invites* the Inter-Agency Meeting on Outer Space Activities to continue to contribute to the work of the Committee and to report to the Committee and its Scientific and Technical Subcommittee on the work conducted at its annual session;

35. *Requests* the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its sixtieth session, and agrees that during its consideration of the matter, the Committee could consider ways to promote regional and interregional cooperation based on experiences stemming from the Space Conference of the Americas and the role space technology could play in the implementation of recommendations of the World Summit on Sustainable Development;

36. *Agrees* that the Committee should continue to consider a report on the activities of the International Satellite System for Search and Rescue as a part of its consideration of the United Nations Programme on Space Applications under the agenda item entitled "Report of the Scientific and Technical Subcommittee", and invites Member States to report on their activities regarding the System;

37. *Requests* the Committee to continue to consider, at its forty-eighth session, its agenda item entitled "Spin-off benefits of space technology: review of current status";

38. *Also requests* the Committee to continue to consider, at its forty-eighth session, its agenda item entitled "Space and society" under the special theme for the focus of discussions for

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[25] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[26] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 20* and *corrigenda* (A/59/20 and Corr.1 and 2), para. 28, and A/AC.105/2004/CRP.8.

the period 2004–2006 entitled "Space and education", in accordance with the work plan adopted by the Committee;[27]

39. *Agrees* that the Committee should continue to consider, at its forty-eighth session, its agenda item entitled "Space and water" and urges entities of the United Nations system and invites other intergovernmental entities dealing with issues relating to the use and management of water resources as well as space agencies to contribute to the work of the Committee by, inter alia, sharing their experience in the use of space-related technology for water resources management;

40. *Also agrees* that a symposium on space and archaeology should be held during the forty-eighth session of the Committee;

41. *Notes* that in accordance with the agreement reached by the Committee at its forty-sixth session on the measures relating to the future composition of the bureaux of the Committee and its subsidiary bodies,[28] on the basis of the measures relating to the working methods of the Committee and its subsidiary bodies,[29] the Group of African States, the Group of Latin American and Caribbean States and the Group of Western European and Other States nominated their candidates for the offices of Second Vice-Chairman/Rapporteur of the Committee, Chairman of the Legal Subcommittee and Chairman of the Committee, respectively, for the period 2006–2007, at the forty-seventh session of the Committee, for its consideration;

42. *Urges* the Group of Asian States and the Group of Eastern European States to reach a consensus agreement on their candidates for the offices of Chairman of the Scientific and Technical Subcommittee and the First Vice-Chairman of the Committee, respectively, before the forty-eighth session of the Committee;

43. *Agrees* that the Committee should reach agreement on all the officers of the bureaux of the Committee and its subsidiary bodies for the period 2006–2007 and that, for this purpose, the Committee should include in the agenda of its forty-eighth session an item on the composition of the bureaux of the Committee and its subsidiary bodies for that period;

44. *Decides* that the Libyan Arab Jamahiriya and Thailand shall become members of the Committee;

45. *Requests* the Committee to consider ways to improve participation in its work by member States and entities with observer status, with a view to agreeing on specific recommendations in that regard at its forty-eighth session;

46. *Notes* that each of the regional groups has responsibility to actively promote the participation in the work of the Committee and its subsidiary bodies of the member States of the Committee that are also members of the respective regional group, and agrees that the regional groups should consider this Committee-related matter among their members;

47. *Invites* the Inter-Agency Meeting on Outer Space Activities to consider at its twenty-fifth session, in 2005, the question of the enhancement of the participation of the entities of the United Nations system in the work of the Committee and its Subcommittees, and requests the Office for Outer Space Affairs, in its capacity as the secretariat of the Inter-Agency Meeting, to report to the Scientific and Technical Subcommittee and the Legal Subcommittee, at their sessions in 2005, on the outcome of the discussions of the Inter-Agency Meeting;

48. *Agrees* that the Legal Subcommittee should, at its forty-fourth session, address the level of participation of the entities having permanent observer status with the Committee and report to the Committee, at its forty-eighth session, on means of enhancing their participation in the work of the Legal Subcommittee;

49. *Urges* the Committee to expand the scope of international cooperation relating to the social, economic, ethical and human dimension in space science and technology applications;

50. *Requests* entities of the United Nations system and other international organizations to continue and, where appropriate, to enhance their cooperation with the Committee and to provide it with reports on the issues dealt with in the work of the Committee and its subsidiary bodies;

51. *Requests* the Committee to identify and consider new areas and mechanisms of international cooperation in the peaceful uses of outer space to strengthen multilateralism, in accordance with the preamble to the present resolution, and to submit a report to the General Assembly at its sixtieth session, including its views on which subjects should be studied in the future.

RESOLUTION 59/117

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/470, para. 20),[30] by a recorded vote of 167 to 1, with 11 abstentions, as follows:

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[27] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 239.

[28] Ibid., annex II, paras. 4–9.

[29] Ibid., *Fifty-second Session, Supplement No. 20* (A/52/20), annex I; see also *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), annex II, appendix III.

[30] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Austria, Bahrain, Bangladesh, Belgium, Bulgaria, Comoros, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Estonia, Finland, France, Germany, Greece, Guinea, Hungary, Indonesia, Iraq, Ireland, Italy, Jordan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Morocco, Namibia, Netherlands, Norway, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Sweden, Switzerland, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Yemen and Palestine.

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel

Abstaining: Cameroon, Grenada, Haiti, Honduras, Marshall Islands, Micronesia (Federated States of), Palau, Papua New Guinea, Tuvalu, United States of America, Vanuatu

59/117. Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 58/91 of 9 December 2003,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further relevant Security Council resolutions,

Aware of the fact that, for more than five decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for more than fifty-four years since its establishment in ameliorating the plight of the Palestine refugees in the fields of education, health and relief and social services,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2003 to 30 June 2004,[11]

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and living conditions, and the continuous deterioration of those conditions during the recent period,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization[12] and the subsequent implementation agreements,

Aware of the important role to be played in the peace process by the Multilateral Working Group on Refugees of the Middle East peace process,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and requests the Conciliation Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2005;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its operation and its services for the well-being of the Palestine refugees and for the stability of the region, pending the resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the Agency, including those mentioned in recent emergency appeals;

5. *Decides* to extend the mandate of the Agency until 30 June 2008, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III);

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[11] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 13* (A/59/13).

[12] A/48/486-S/26560, annex.

RESOLUTION 59/118

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/470, para. 20),[33] by a recorded vote of 162 to 6, with 9 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Grenada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Cameroon, Côte d'Ivoire, Haiti, Honduras, Nauru, Papua New Guinea, Tuvalu, Uzbekistan, Vanuatu

59/118. Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 58/92 of 9 December 2003,[34]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2003 to 30 June 2004,[35]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 1993[36] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 1993[36] on the return of displaced persons has not been complied with, and stresses the necessity for an accelerated return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixtieth session on the progress made with regard to the implementation of the present resolution.

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[33] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Malaysia, Mali, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

[34] A/59/151.

[35] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 13* (A/59/13).

[36] A/48/486-S/26560, annex.

RESOLUTION 59/119

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/470, para. 20),[37] by a recorded vote of 163 to 6, with 7 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Grenada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Burundi, Cameroon, Côte d'Ivoire, Haiti, Honduras, Nicaragua, Papua New Guinea

59/119. Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including resolution 58/93 of 9 December 2003,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2003 to 30 June 2004,[38]

Taking note of the letter dated 30 September 2004 from the Chairperson of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[39]

Deeply concerned about the continuing critical financial situation of the Agency and its effect on the continuing provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[40]

Recalling also the Convention on the Safety of United Nations and Associated Personnel,[41]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[42] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely, in Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the increased suffering of the Palestine refugees, including that resulting from loss of life, injury and extensive destruction and damage to their shelters and properties, during the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern about the grave impact of the events that occurred in the Jenin refugee camp in April 2002, the Rafah refugee camp in May 2004 and the Jabaliya refugee camp in October 2004, including the loss of life, injury, destruction and displacement inflicted on many of the civilian inhabitants,

Aware of the extraordinary efforts being undertaken by the Agency for the repair or rebuilding of thousands of damaged or destroyed refugee shelters,

Aware also of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

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[37] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Malaysia, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

[38] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 13* (A/59/13).

[39] Ibid., p. viii.

[40] Resolution 22 A (I).

[41] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[42] Ibid., vol. 75, No. 973.

Gravely concerned about the endangerment of the safety of the Agency's staff and about the damage caused to facilities of the Agency as a result of Israeli military operations during the reporting period,

Deploring the killing of twelve Agency staff members by the Israeli occupying forces since September 2000,

Deploring also the killing and wounding of children in the Agency's schools by the Israeli occupying forces,

Expressing deep concern about the continuing policies of closure and severe restrictions, including the curfews, that have been imposed on the movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, and which have had a grave impact on the socio-economic situation of the Palestine refugees and have greatly contributed to the dire humanitarian crisis facing the Palestinian people,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement of the Agency's staff, vehicles and goods, the harassment and intimidation of the Agency's staff and the serious accusations made against the Agency, which proved to be unfounded, all of which undermine and obstruct the Agency's work, including its ability to provide its essential services, notably its education, health and relief and social services,

Recalling the signing, on 13 September 1993, of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization[43] and the subsequent implementation agreements,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[44]

1. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the increasingly difficult conditions during the past year;

2. *Also expresses its appreciation* to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of Assembly decision 48/417 of 10 December 1993;

3. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East[45] and the efforts of the Working Group to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

4. *Commends* the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2004–2005;[46]

5. *Acknowledges* the support provided by the host Governments to the Agency in the discharge of its duties;

6. *Welcomes* the convening, on 7 and 8 June 2004, of the Geneva conference by the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the Swiss Agency for Development and Cooperation to increase support for the United Nations Relief and Works Agency;

7. *Encourages* the Agency's further consideration of the needs and rights of children in its operations in accordance with the Convention on the Rights of the Child;[47]

8. *Expresses concern* about the temporary relocation of the headquarters international staff of the Agency from Gaza City and the disruption of operations at the headquarters;

9. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[42]

10. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[40] in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

11. *Urges* the Government of Israel speedily to compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side, particularly during the reporting period;

12. *Calls upon* Israel particularly to cease obstructing the movement of the staff, vehicles and supplies of the Agency

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[43] A/48/486-S/26560, annex.

[44] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

[45] A/59/442.

[46] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13*, addendum (A/58/13/Add.1).

[47] United Nations, *Treaty Series*, vol. 1577, No. 27531.

and to cease the levying of extra fees and charges, which affect the Agency's operations detrimentally;

13. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

14. *Affirms* that the functioning of the Agency remains essential in all fields of operation;

15. *Notes* the success of the Agency's microfinance and microenterprise programme, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

16. *Reiterates its request* to the Commissioner-General to proceed with the modernization of the archives of the Agency through the Palestine Refugee Records Project, and to indicate the progress made in this regard in his report to the General Assembly at its sixtieth session;

17. *Reiterates its previous appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

18. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, exacerbated by the current humanitarian situation on the ground, and to support the Agency's valuable work in assisting the Palestine refugees.

RESOLUTION 59/120

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/470, para. 20),[48] by a recorded vote of 161 to 6, with 9 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Grenada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Cameroon, Côte d'Ivoire, Haiti, Honduras, Nauru, Papua New Guinea, Tuvalu, Uzbekistan, Vanuatu

59/120. Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 58/94 of 9 December 2003,[49]

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2003 to 31 August 2004,[50]

Recalling that the Universal Declaration of Human Rights[51] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

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[48] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Austria, Bahrain, Bangladesh, Belgium, Brunei Darussalam, Bulgaria, Comoros, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Estonia, Finland, France, Germany, Greece, Guinea, Hungary, Indonesia, Iraq, Ireland, Italy, Jordan, Kuwait, Latvia, Lithuania, Luxembourg, Malaysia, Mali, Malta, Morocco, Namibia, Netherlands, Norway, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Sweden, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Yemen and Palestine.

[49] A/59/279.

[50] A/59/260, annex.

[51] Resolution 217 A (III).

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[52] and the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the work done to preserve and modernize the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, within the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[53] to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/121

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/471, para. 27),[54] by a recorded vote of 84 to 9, with 80 abstentions, as follows:

In favour: Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nigeria, Oman, Pakistan, Paraguay, Qatar, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Grenada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Andorra, Antigua and Barbuda, Argentina, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu

59/121. Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles set forth in the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[55] as well as international standards of human rights, in particular the

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[52] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

[53] A/48/486-S/26560, annex.

[54] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Malaysia, Mali, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

[55] United Nations, *Treaty Series*, vol. 75, No. 973.

Universal Declaration of Human Rights[56] and the International Covenants on Human Rights,[57]

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and 58/96 of 9 December 2003, and the relevant resolutions of the Commission on Human Rights,

Recalling also the relevant resolutions of the Security Council,

Taking into account the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[58] and recalling in this regard General Assembly resolution ES-10/15 of 20 July 2004,

Convinced that occupation itself represents a gross and grave violation of human rights,

Gravely concerned about the continuation of the tragic events that have taken place since 28 September 2000, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[59] and the relevant reports of the Secretary-General,[60]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[61] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Expressing the hope that the Israeli occupation will be brought to an early end and that therefore the violation of the human rights of the Palestinian people will cease, and recalling in this regard its resolution 58/292 of 6 May 2004,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Reiterates its demand* that Israel, the occupying Power, cooperate with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;[59]

4. *Expresses grave concern* about the continuing crisis situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of unlawful Israeli practices and measures, and especially condemns the excessive and indiscriminate use of force against the civilian population, including extrajudicial executions, which has resulted in more than 3,400 Palestinian deaths, including those of more than 750 children, and tens of thousands of injuries;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[33] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(*a*) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate Israeli policies and practices referred to in the present resolution;

(*b*) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(*c*) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(*d*) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(*e*) To report to the General Assembly at its sixtieth session on the tasks entrusted to him in the present resolution;

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[56] Resolution 217 A (III).

[57] Resolution 2200 A (XXI), annex.

[58] See A/ES-10/273 and Corr.1.

[59] See A/59/381.

[60] A/59/338, A/59/339, A/59/343, A/59/344 and A/59/345.

[61] A/48/486-S/26560, annex.

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

RESOLUTION 59/122

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/471, para. 27),[62] by a recorded vote of 160 to 7, with 11 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Grenada, Israel, Marshall Islands, Mauritania, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Australia, Cameroon, Côte d'Ivoire, Dominican Republic, Haiti, Nauru, Papua New Guinea, Tuvalu, Uganda, Vanuatu

59/122. Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions, including its resolution 58/292 of 6 May 2004,

Recalling also its resolution ES-10/15 of 20 July 2004,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to the Hague Convention IV of 1907,[63] the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[64] and relevant provisions of customary law, including those codified in Additional Protocol I[65] to the four Geneva Conventions,[66]

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[67] and the relevant reports of the Secretary-General,[68]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[69] and also recalling General Assembly resolution ES-10/15,

Noting in particular the Court's reply, including that the Fourth Geneva Convention[64] is applicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Noting the convening for the first time, on 15 July 1999, of a Conference of High Contracting Parties to the Fourth Geneva Convention, as recommended by the General Assembly in its resolution ES-10/6 of 9 February 1999, on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure respect thereof in accordance with article 1 common to the four Geneva Conventions, and aware of the statement adopted by the Conference,

Welcoming the reconvening of the Conference of High Contracting Parties to the Fourth Geneva Convention on 5 December 2001 in Geneva and stressing the importance of the Declaration adopted by the Conference, and underlining the need for the parties to follow up the implementation of the Declaration,

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[62] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Malaysia, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

[63] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[64] United Nations, *Treaty Series*, vol. 75, No. 973.

[65] Ibid., vol. 1125, No. 17512.

[66] Ibid., vol. 75, Nos. 970–973.

[67] See A/59/381.

[68] A/59/338, A/59/339, A/59/343, A/59/344 and A/59/345.

[69] See A/ES-10/273 and Corr.1.

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949[68] is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions[56] and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004,[69] to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions of its tenth emergency special session, including resolution ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/123

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/471, para. 27),[70] by a recorded vote of 155 to 8, with 15 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnie and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Grenada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Cameroon, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, Haiti, Kenya, Nicaragua, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Uganda, Uzbekistan, Vanuatu

59/123. Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles set forth in the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution 58/292 of 6 May 2004, as well as those resolutions adopted at its tenth emergency special session,

Recalling also relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[71] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Considering that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies is a breach of the Fourth Geneva Convention[71] and relevant provisions of customary law, including those codified in Additional Protocol I[72] to the Geneva Conventions,[73]

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[70] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Malaysia, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine.

[71] United Nations, *Treaty Series*, vol. 75, No. 973.

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[74] and recalling also General Assembly resolution ES-10/15 of 20 July 2004,

Noting that the Court concluded that "the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law",[75]

Taking note of the recent report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[76]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[77] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[78] and noting specifically its call for a freeze on all settlement activity,

Aware that Israeli settlement activities have involved, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other illegal actions against the Palestinian civilian population,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on efforts to achieve peace in the Middle East,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, including the construction and expansion of the settlements in Jabal Abu-Ghneim and Ras Al-Amud in and around Occupied East Jerusalem,

Expressing grave concern also about the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which could prejudge future negotiations and make the two-State solution physically impossible to implement and which is causing the Palestinian people further humanitarian hardship,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Reiterating its opposition to settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and to any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Gravely concerned about the dangerous situation resulting from actions taken by the illegal armed Israeli settlers in the occupied territory,

Taking note of the relevant reports of the Secretary-General,[79]

1. *Reaffirms* that Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[71] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;

4. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;[74]

5. *Stresses* the need for full implementation of Security Council resolution 904 (1994), in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken

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[72] Ibid., vol. 1125, No. 17512.

[73] Ibid., vol. 75, Nos. 970-973.

[74] See A/ES-10/273 and Corr.1.

[75] Ibid., advisory opinion, para. 120.

[76] See A/59/256.

[77] A/48/486-S/26560, annex.

[78] S/2003/529, annex.

[79] A/59/338, A/59/339, A/59/343, A/59/344, A/59/345 and A/59/381.

to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

6. *Reiterates its calls* for the prevention of all acts of violence by Israeli settlers, especially against Palestinian civilians and property, particularly in the light of recent developments;

7. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/124

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/471, para. 27),[80] by a recorded vote of 149 to 7, with 22 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Cameroon, Canada, Costa Rica, Côte d'Ivoire, Dominican Republic, El Salvador, Equatorial Guinea, Grenada, Guatemala, Haiti, Honduras, Iceland, Kenya, Nicaragua, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Uganda, Uzbekistan, Vanuatu

59/124. Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling its relevant resolutions, including resolution 58/292 of 6 May 2004, as well as those adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Commission on Human Rights,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[81] and the report of the Secretary-General,[82]

Taking note of the report of the Human Rights Inquiry Commission established by the Commission on Human Rights[83] and the recent reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[84]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[85] and recalling also General Assembly resolution ES-10/15 of 20 July 2004,

Noting in particular the Court's reply, including that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Recalling the International Covenant on Civil and Political Rights,[86] the International Covenant on Economic, Social and Cultural Rights[86] and the Convention on the Rights of the Child,[87] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

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[80] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Malaysia, Mali, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

[81] See A/59/381.

[82] A/59/345.

[83] E/CN.4/2001/121.

[84] See E/CN.4/2004/6 and Add.1 and A/59/256.

[85] See A/ES-10/273 and Corr.1.

[86] See resolution 2200 A (XXI), annex.

[87] United Nations, *Treaty Series*, vol. 1577, No. 27531.

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[88] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[88] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[89]

Concerned about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force, the use of collective punishment, the reoccupation and closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of the wall inside the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned about the military actions that have been carried out since 28 September 2000 and that have led to thousands of deaths among Palestinian civilians, including hundreds of children, and tens of thousands of injuries,

Expressing deep concern about the extensive destruction caused by the Israeli occupying forces, including of religious, cultural and historical sites, of vital infrastructure and institutions of the Palestinian Authority, and of agricultural land throughout Palestinian cities, towns, villages and refugee camps,

Expressing deep concern also about the Israeli policy of closure and the severe restrictions, including curfews, that continue to be imposed on the movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people, which remains that of a dire humanitarian crisis,

Expressing concern that thousands of Palestinians continue to be held in Israeli prisons or detention centres under harsh conditions that impair their well-being, and also expressing concern about the ill-treatment and harassment of any Palestinian prisoners and all reports of torture,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilians and to help the parties to implement agreements reached, and, in this regard, recalling the positive contribution of the Temporary International Presence in Hebron,

Stressing the necessity for the full implementation of all relevant Security Council resolutions,

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[88] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949[88] and cease immediately all measures and actions taken in violation and in breach of the Convention, including the extrajudicial executions;

3. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in extensive loss of life, vast numbers of injuries and massive destruction of homes, properties, agricultural lands and vital infrastructure;

4. *Expresses grave concern* at the use of suicide bombing attacks against Israeli civilians, resulting in extensive loss of life and injury;

5. *Condemns* the events that occurred in the Jenin refugee camp in April 2002, including the loss of life, injury, widespread destruction and displacement inflicted on many of its civilian inhabitants;

6. *Condemns also* the killing of Palestinian civilians and the widespread demolition of homes by Israel, the occupying Power, in the Rafah refugee camp in May 2004 and in the Jabaliya refugee camp in October 2004;

7. *Demands* that Israel, the occupying Power, cease all practices and actions which violate the human rights of the Palestinian people, respect human rights law and comply with its obligations;

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[88] Ibid., vol. 75, No. 973.

[89] S/2003/529, annex.

8. *Demands also* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice[85] and as demanded in resolution ES-10/15 and resolution ES-10/13 of 21 October 2003, and that it cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall;

9. *Stresses* the need to preserve the territorial integrity of all the Occupied Palestinian Territory and to guarantee the freedom of movement of persons and goods within the Palestinian territory, including the removal of restrictions on movement into and from East Jerusalem, and the freedom of movement to and from the outside world;

10. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/125

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/471, para. 27),[90] by a recorded vote of 160 to 2, with 15 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Palau

Abstaining: Albania, Cameroon, Côte d'Ivoire, Dominican Republic, Equatorial Guinea, Grenada, Haiti, Kenya, Marshall Islands, Micronesia (Federated States of), Nauru, Tonga, Tuvalu, United States of America, Vanuatu

59/125. The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[91]

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the most recent of which was resolution 58/100 of 9 December 2003,

Having considered the report of the Secretary-General submitted in pursuance of resolution 58/100,[92]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[93] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

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[90] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Malaysia, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine.

[91] See A/59/381.

[92] A/59/338.

[93] United Nations, *Treaty Series*, vol. 75, No. 973.

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[93] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTIONS 59/126 A and B

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the recommendation of the Committee (A/59/473, para. 12)[94]

59/126. Questions relating to information

A

INFORMATION IN THE SERVICE OF HUMANITY

The General Assembly,

Taking note of the comprehensive and important report of the Committee on Information,[95]

Also taking note of the report of the Secretary-General on questions relating to information,[96]

Urges all countries, organizations of the United Nations system as a whole and all others concerned, reaffirming their commitment to the principles of the Charter of the United Nations and to the principles of freedom of the press and freedom of information, as well as to those of the independence, pluralism and diversity of the media, deeply concerned by the disparities existing between developed and developing countries and the consequences of every kind arising from those disparities that affect the capability of the public, private or other media and individuals in developing countries to disseminate information and communicate their views and their cultural and ethical values through endogenous cultural production, as well as to ensure the diversity of sources and their free access to information, and recognizing the call in this context for what in the United Nations and at various international forums has been termed "a new world information and communication order, seen as an evolving and continuous process":

(*a*) To cooperate and interact with a view to reducing existing disparities in information flows at all levels by increasing assistance for the development of communication infrastructures and capabilities in developing countries, with due regard for their needs and the priorities attached to such areas by those countries, and in order to enable them and the public, private or other media in developing countries to develop their own information and communication policies freely and independently and increase the participation of media and individuals in the communication process, and to ensure a free flow of information at all levels;

(*b*) To ensure for journalists the free and effective performance of their professional tasks and condemn resolutely all attacks against them;

(*c*) To provide support for the continuation and strengthening of practical training programmes for broadcasters and journalists from public, private and other media in developing countries;

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[94] The draft resolutions recommended in the report were submitted by the Committee on Information.

[95] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 21* (A/59/21).

[96] A/59/221 and Corr.1.

(*d*) To enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries, to strengthen communication capacities and to improve the media infrastructure and communication technology in the developing countries, especially in the areas of training and dissemination of information;

(*e*) To aim at, in addition to bilateral cooperation, providing all possible support and assistance to the developing countries and their media, public, private or other, with due regard to their interests and needs in the field of information and to action already adopted within the United Nations system, including:

(i) The development of the human and technical resources that are indispensable for the improvement of information and communication systems in developing countries and support for the continuation and strengthening of practical training programmes, such as those already operating under both public and private auspices throughout the developing world;

(ii) The creation of conditions that will enable developing countries and their media, public, private or other, to have, by using their national and regional resources, the communication technology suited to their national needs, as well as the necessary programme material, especially for radio and television broadcasting;

(iii) Assistance in establishing and promoting telecommunication links at the subregional, regional and interregional levels, especially among developing countries;

(iv) The facilitation, as appropriate, of access by the developing countries to advanced communication technology available on the open market;

(*f*) To provide full support for the International Programme for the Development of Communication[97] of the United Nations Educational, Scientific and Cultural Organization, which should support both public and private media.

B

UNITED NATIONS PUBLIC INFORMATION POLICIES AND ACTIVITIES

The General Assembly,

Reiterating its decision to consolidate the role of the Committee on Information as its main subsidiary body mandated to make recommendations to it relating to the work of the Department of Public Information of the Secretariat,

Concurring with the view of the Secretary-General that the fundamental premise underlying the reorientation efforts of the Department of Public Information remains General Assembly resolution 13 (I) of 13 February 1946, establishing the Department, which states in paragraph 2 of annex I that "the activities of the Department should be so organized and directed as to promote to the greatest possible extent an informed understanding of the work and purposes of the United Nations among the peoples of the world",

Concurring also with the view of the Secretary-General that the contents of public information and communications should be placed at the heart of the strategic management of the United Nations and that a culture of communications should permeate all levels of the Organization, as a means of fully informing the peoples of the world of the aims and activities of the United Nations, in accordance with the purposes and principles enshrined in the Charter of the United Nations, in order to create broad-based global support for the United Nations,

Stressing that the primary mission of the Department of Public Information is to provide, through its outreach activities, accurate, impartial, comprehensive and timely information to the public on the tasks and responsibilities of the United Nations in order to strengthen international support for the activities of the Organization with the greatest transparency,

Noting that the comprehensive review of the work of the Department of Public Information, requested by the General Assembly in its resolution 56/253 of 24 December 2001, and the implementation of its second phase, described in the report of the Secretary-General on reorientation of United Nations activities in the field of public information and communications to the Committee on Information at its twenty-fifth session,[98] as well as the report of the Secretary-General entitled "Strengthening of the United Nations: an agenda for further change",[99] and Assembly resolutions 57/300 of 20 December 2002 and 58/101 B of 9 December 2003, as they apply to the Department of Public Information, provide an opportunity to take further steps to rationalize the work of the Department in order to enhance its efficiency and effectiveness, and to maximize the use of its resources,

Expressing its concern that the gap in the information and communication technologies between the developed and the developing countries has continued to widen and that vast segments of the population in developing countries are not benefiting from the present information and technology revolution, and, in this regard, underlining the necessity of rectifying the imbalances of the global information and technology revolution in order to make it more just, equitable and effective,

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[97] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-first Session, Belgrade, 23 September–28 October 1980*, vol. I, *Resolutions*, sect. III.4, resolution 4/21.

[98] A/AC.198/2003/2.

[99] A/57/387 and Corr.1.

Recognizing that developments in the information and communication technology revolution open vast new opportunities for economic growth and social development and can play an important role in the eradication of poverty in developing countries, and, at the same time, emphasizing that the revolution also poses challenges and risks and could lead to the further widening of disparities between and within countries,

Recalling its resolution 56/262 of 15 February 2002 on multilingualism, and emphasizing the importance of making appropriate use of the official languages of the United Nations in the activities of the Department of Public Information, aiming to eliminate the disparity between the use of English and the five other official languages,

Welcoming Saint Vincent and the Grenadines, Suriname and Switzerland to membership in the Committee on Information,

I

Introduction

1. *Reaffirms* its resolution 13 (I), in which it established the Department of Public Information, and all other relevant General Assembly resolutions related to the activities of the Department;

2. *Calls upon* the Secretary-General, in respect of the public information policies and activities of the United Nations, to continue to implement fully the recommendations contained in paragraph 2 of General Assembly resolution 48/44 B of 10 December 1993 and other mandates as established by the Assembly;

3. *Notes* that the medium-term plan for the period 2002–2005[100] continues to serve as a guideline that sets out the overall orientation of the public information programme for the Organization's goals through effective communication, and recalls its resolution 58/269 of 23 December 2003, entitled "Strengthening of the United Nations: an agenda for further change", in which it requested the Secretary-General to prepare, on a trial basis, for submission to the General Assembly at its fifty-ninth session, a strategic framework to replace the current four-year medium-term plan;

4. *Reaffirms* that the United Nations remains the indispensable foundation of a peaceful and just world and that its voice must be heard in a clear and effective manner, and emphasizes the essential role of the Department of Public Information in this context;

5. *Stresses* the importance of clear and timely provision of information by the Secretariat to Member States, upon their request, within the framework of existing mandates and procedures, and encourages the Department of Public Information to continue to do so;

6. *Reaffirms* the central role of the Committee on Information in United Nations public information policies and activities, including the restructuring process of the Department of Public Information, and the prioritization of its activities, and welcomes the continued constructive interaction between the Department and the members of the Committee;

7. *Calls upon* Member States to ensure, to the extent possible, that recommendations relating to the programme of the Department of Public Information originate and are considered in the Committee on Information;

8. *Requests* the Department of Public Information, following the priorities laid down by the General Assembly in the medium-term plan and using the United Nations Millennium Declaration[101] as its guide, to pay particular attention to such major issues as the eradication of poverty, conflict prevention, sustainable development, human rights, the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) epidemic, combating terrorism in all its forms and manifestations and the needs of the African continent;

9. *Also requests* the Department of Public Information to pay attention to all major issues addressed in the United Nations Millennium Declaration and the Millennium Development Goals in carrying out its activities;

10. *Concurs* with the Secretary-General on the need to enhance the technological infrastructure of the Department of Public Information in order to widen its outreach and improve the United Nations web site;

11. *Recognizes* the important work carried out by the United Nations Educational, Scientific and Cultural Organization and its collaboration with news agencies and broadcasting organizations in developing countries in disseminating information on priority issues, and encourages a continued collaboration between the Department of Public Information and the United Nations Educational, Scientific and Cultural Organization in the promotion of culture and in the fields of education and communication;

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[100] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 6* and corrigendum (A/57/6/Rev.1 and Corr.1).

[101] See resolution 55/2.

II

General activities of the Department of Public Information

12. *Notes* the proposals and actions of the Secretary-General to improve the effective and targeted delivery of public information activities, including the restructuring of the Department of Public Information, in accordance with the relevant resolutions and decisions of the General Assembly, and requests the Secretary-General to report to the Committee on Information in this regard at its twenty-seventh session;

13. *Reaffirms* that the Department of Public Information is the focal point for information policies of the United Nations and the primary news centre for information about the United Nations, its activities and those of the Secretary-General, and encourages a closer integration of functions between the Department and the office providing spokesman services for the Secretary-General;

14. *Welcomes* the recommendations of the Department of Public Information for developing a communications strategy to publicize the work and decisions of the General Assembly,[102] encourages the Department to establish a closer working relationship with the Office of the President of the General Assembly, and requests the Secretary-General to report further on the progress achieved in, and the remaining challenges to, the implementation of those recommendations to the Committee on Information at its twenty-seventh session;

15. *Emphasizes* the central role of the Committee on Information in making recommendations to the General Assembly on the mandate of the Department of Public Information, takes note of the reorientation exercise in enhancing the performance and effectiveness of the Department, which should be in accordance with the mandates established by the Assembly, and requests the Secretary-General to report on progress achieved in this regard to the Committee at its twenty-seventh session;

16. *Requests* the Secretary-General, in the context of the reorientation process, to continue to exert all efforts to ensure that publications and other information services of the Secretariat, including the United Nations web site and the United Nations News Service, contain comprehensive, objective and equitable information about the issues before the Organization and that they maintain editorial independence, impartiality, accuracy and full consistency with resolutions and decisions of the General Assembly;

17. *Reiterates* that all printed materials of the Department of Public Information, in accordance with existing mandates, should not duplicate other publications of the United Nations system and should be produced in a cost-effective manner;

18. *Welcomes* the reconstitution of the Publications Board, in accordance with existing legislative mandates, by the Department of Public Information;

19. *Urges* the Department of Public Information to continue to exhibit transparency to the greatest extent possible, so as to increase awareness of the impact of its programmes and activities;

20. *Emphasizes* that, through its reorientation, the Department of Public Information should maintain and improve its activities in the areas of special interest to developing countries and, where appropriate, other countries with special needs, including countries in transition, and that such reorientation contributes to bridging the existing gap between the developing and the developed countries in the crucial field of public information and communications;

21. *Encourages* the Secretary-General to strengthen the coordination between the Department of Public Information and other departments of the Secretariat, including the designation of focal points to work with substantive departments, in the context of its client-oriented approach, to identify target audiences and develop information programmes and media strategies for priority issues, and emphasizes that public information capacities and activities in other departments should function under the guidance of the Department;

22. *Welcomes* the initiatives that have been taken by the Department of Public Information to strengthen the public information system of the United Nations, and, in this regard, stresses the importance of a coherent and results-oriented approach being taken by the United Nations, the specialized agencies and the programmes and funds of the United Nations system involved in public information activities, as well as the provision of resources for their implementation, and that feedback from Member States on the relevance and effectiveness of its programme delivery should be taken into account;

23. *Appreciates* the continued efforts of the Department of Public Information in issuing daily press releases, and requests the Department to continue providing this invaluable service to both Member States and representatives of the media, while considering possible means of improving their production process and streamlining their format, structure and length, keeping in mind the views of Member States;

24. *Requests* that during the deliberations on the item entitled "Questions relating to information" in the Special Political and Decolonization Committee (Fourth Committee) during the successive regular sessions of the General Assembly, an informal interaction between the Secretariat and members of the Fourth Committee take place after the presentation by the Under-Secretary-General for Communications and Public

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[102] See A/AC.198/2004/6.

Information on the substance of that oral briefing, within existing resources;

Multilingualism and public information

25. *Welcomes* the ongoing efforts of the Department of Public Information to enhance multilingualism in its activities, and encourages the Department to continue its endeavours in this regard;

26. *Emphasizes* the importance of ensuring the full, equitable treatment of all the official languages of the United Nations in all activities of the Department of Public Information, and stresses the importance of fully implementing its resolution 52/214 of 22 December 1997, in section C of which it requested the Secretary-General to ensure that the texts of all new public documents, in all six official languages, and information materials of the United Nations are made available daily through the United Nations web site and are accessible to Member States without delay;

27. *Recognizes* the fact that the integration of the Official Document System with the United Nations web site, scheduled to take place during the fourth quarter of 2004, will significantly enhance the multilingual nature of the site by providing free, public access to all United Nations parliamentary documents in the six official languages;

28. *Reaffirms its request* to the Secretary-General to ensure that the Department of Public Information has appropriate staffing capacity in all official languages of the United Nations to undertake all its activities;

29. *Reminds* the Secretary-General of the need to include in future programme budget proposals for the Department of Public Information the importance of using all six official languages in its activities;

Bridging the digital divide

30. *Welcomes* the holding of the Geneva phase of the World Summit on the Information Society from 10 to 12 December 2003, and looks forward to the second phase, to be held in Tunis from 16 to 18 November 2005;

31. *Calls upon* the Department of Public Information to contribute to raising the awareness of the international community of the importance of the World Summit on the Information Society and the need to join efforts to make it a success;

32. *Recalls* paragraph 32 of its resolution 58/101 B, welcomes the contribution of the Department of Public Information in publicizing the efforts of the Secretary-General to close the digital divide as a means of spurring economic growth and as a response to the continuing gulf between developed and developing countries, and, in this context, requests the Department to further enhance its role;

III

New programmatic priorities for the Department of Public Information

33. *Takes note* of the note by the Secretary-General on the proposed strategic framework for the period 2006–2007 concerning the programmatic aspects for the Department of Public Information;[103]

34. *Notes* that the proposed strategic framework does not include the first part;

35. *Notes also* that the executive direction and management elements of the programme, as well as the details of performance measures (baselines and targets), external factors and outputs, together with resource requirements, will be reflected in the proposed programme budget for the biennium 2006–2007;

36. *Stresses* the need to include in the proposed programme budget for the biennium 2006–2007, to the fullest extent possible, quantifiable and verifiable indicators for measuring expected accomplishments, so as to give a clear indication of the progress towards the accomplishment of objectives set;

37. *Also stresses* the importance of full compliance with all legislative mandates when preparing the proposed programme budget for the biennium 2006–2007;

38. *Recommends* that, in the last sentence of paragraph 1 in the Overall orientation section in the annex to the note by the Secretary-General on the proposed strategic framework for the period 2006–2007,[103] the words "in particular, the legislative mandates included in the present biennial programme plan, as well as those of" be inserted after the words "General Assembly" and the word "and" be deleted;

39. *Acknowledges* that the Department of Public Information, with the assistance of the Office of Internal Oversight Services of the Secretariat, has developed an annual programme impact review to systematically evaluate its products and activities and that, as an initial step in a three-year project between the Department and the Office, the first annual programme impact review was completed in January 2004, as requested by the General Assembly in its resolution 57/300 of 20 December 2002, and requests the Secretary-General to report further on the progress made to the Committee on Information at its twenty-seventh session;

40. *Reaffirms* that the Department of Public Information must prioritize its work programme while respecting existing mandates and in line with regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the

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[103] A/AC.198/2004/7.

Methods of Evaluation,[104] to focus its message and concentrate its efforts better and, as a function of performance management, to match its programmes with the needs of its target audiences, on the basis of improved feedback and evaluation mechanisms;

United Nations information centres

41. *Reaffirms* paragraph 15 of its resolution 57/300, in which it took note of the proposal of the Secretary-General contained in action 8 of his report,[99] to rationalize the network of United Nations information centres around regional hubs, where appropriate, in consultation with concerned Member States, starting with the creation of a Western European hub, followed by a similar approach in other high-cost developed countries, and requests the Secretary-General to submit a progress report on the implementation of the proposal with the objective of applying this initiative in other regions, in consultation with Member States, where this initiative will strengthen the flow and exchange of information in developing countries;

42. *Welcomes* the agreement between the Department of Public Information and the Western European countries to establish a regional United Nations information centre in Brussels;

43. *Takes note* of the report of the Secretary-General on the rationalization of the network of United Nations information centres,[105] stresses that the report could not, at the time it was written, fully address all aspects of the implementation of the rationalization of United Nations information centres in Western Europe and other high-cost developed countries, and, in this regard, requests the Secretary-General to report in detail to the Committee on Information at its twenty-seventh session;

44. *Stresses* that the United Nations information centres and services and information components or regional hubs, as applicable, should play a significant role in disseminating information about the work of the Organization to the peoples of the world, including in the areas outlined in the United Nations Millennium Declaration,[101] and emphasizes that the information centres, or regional hubs, as applicable, as the "field voice" of the Department of Public Information, should promote public awareness of and mobilize support for the work of the United Nations at the local level, bearing in mind that information in the local languages has the strongest impact on the local populations;

45. *Also stresses* the importance of taking into account the special needs and requirements of developing countries in the field of information and communications technology for the effective flow of information in those countries;

46. *Affirms* that the measures highlighted and objectives expressed in paragraphs 41 to 45 above are central to future rationalization of United Nations information centres, which must be carried out in consultation, on a case-by-case basis, with all concerned Member States in which existing information centres are located, the countries served by those information centres and other interested countries in the region, taking into consideration the distinctive characteristics of each region;

47. *Requests* the Secretariat, within the framework of the rationalization process, to extend the services of the United Nations information centres and regional United Nations information centres, where applicable, to those Member States currently outside the scope of the field information capacity of the Department of Public Information;

48. *Requests* the Secretary-General, within the framework of the rationalization process, to take into account the needs of Portuguese-speaking African countries and the offer made by the Government of Angola;

49. *Recalls* paragraph 39 of its resolution 58/270 of 23 December 2003, and welcomes, in this context, the ongoing efforts of the Department of Public Information to review the allocation of both staff and financial resources to the United Nations information centres with a view to transferring resources from information centres in developed countries to United Nations information activities in developing countries, emphasizing the needs of the least developed countries, and to any other activities of high priority, such as multilingualism on the web site and evaluation of services, in consultation with Member States concerned;

50. *Encourages* United Nations information centres and regional United Nations information centres, as applicable, to develop web pages in local languages, also encourages the Department of Public Information to provide resources and technical facilities, in particular to those information centres whose web pages are not yet operational, and further encourages host countries to respond to the needs of the information centres;

51. *Recalls* the appeal made by the Secretary-General to host countries of United Nations information centres to facilitate the work of the centres in their countries by providing rent-free or rent-subsidized premises, while taking into account the economic condition of the host countries and bearing in mind that such support should not be a substitute for the full allocation of financial resources for the information centres in the context of the programme budget of the United Nations;

52. *Notes* the continuing support of the Department of Public Information in the consolidation of the United Nations field presences into United Nations houses, and requests the Secretary-General to report in detail on the progress made to the Committee on Information at its twenty-seventh session;

53. *Requests* the Secretary-General to continue to submit progress reports on the implementation of the

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[104] ST/SGB/2000/8.

[105] A/AC.198/2004/3.

rationalization process to the Committee on Information at its successive sessions and to include in these reports information on the functioning of the Department's field capacity, including newly established regional United Nations information centres, where applicable, and United Nations information centres that have undergone the rationalization process;

IV

Strategic communications services

54. *Notes* paragraph 6 of the report of the Secretary-General on the continuing reorientation of United Nations activities in the field of public information and communications,[106] and, in this context, reaffirms that the Department of Public Information is the principal department responsible for the implementation of information strategies, as mandated;

55. *Affirms* the role of the strategic communications services in devising and disseminating United Nations messages by developing communications strategies, in close collaboration with the substantive departments, United Nations funds and programmes and the specialized agencies, in full compliance with the legislative mandates;

Promotional campaigns

56. *Recognizes* that promotional campaigns aimed at supporting special sessions and international conferences of the United Nations are part of the core responsibility of the Department of Public Information, and welcomes the efforts of the Department to examine creative ways in which it can organize and implement these campaigns in partnership with the substantive departments concerned, using the United Nations Millennium Declaration[101] as its guide;

57. *Supports* the efforts of the Department of Public Information, while ensuring respect for the priorities established by the General Assembly, to also focus its promotional campaigns on the major issues identified by the Secretary-General;

58. *Appreciates* the work of the Department of Public Information in promoting, through its campaigns, issues of importance to the international community, such as sustainable development, children, HIV/AIDS, malaria and other diseases and decolonization, as well as the dialogue among civilizations, culture of peace and tolerance and the consequences of the Chernobyl disaster, and encourages the Department, in cooperation with the countries concerned and with the relevant organizations and bodies of the United Nations system, to continue to take appropriate measures to enhance world public awareness of these and other important global issues;

59. *Encourages* the Department of Public Information to continue to work within the United Nations Communications Group to coordinate the implementation of communication strategies with the heads of information of the agencies, funds and programmes of the United Nations system, and requests the Secretary-General to report to the Committee on Information at successive sessions on the activities of the Group;

60. *Stresses* the need for the renewed emphasis in support of Africa's development, in particular by the Department of Public Information, in order to promote awareness in the international community of the nature of the critical economic and social situation in Africa and of the priorities of the New Partnership for Africa's Development;[107]

Role of the Department of Public Information in United Nations peacekeeping

61. *Commends* the efforts of the Secretary-General to strengthen the public information capacity of the Department of Public Information for the establishment and functioning of the information components of peacekeeping operations and of political and peace-building missions of the United Nations, including its promotional efforts and other information support activities, and requests the Secretariat to continue to ensure the involvement of the Department from the planning stage of future operations through interdepartmental consultations and coordination with other departments of the Secretariat, in particular with the Department of Peacekeeping Operations;

62. *Stresses* the importance of enhancing the public information capacity of the Department of Public Information in the field of peacekeeping operations and its role in the selection process of spokespersons for United Nations peacekeeping operations or missions, and, in this regard, encourages the Department to second spokespersons who have the necessary skills to fulfil the tasks of the operations or missions, taking into account the principle of equitable geographical distribution in accordance with Chapter XV, Article 101, paragraph 3, of the Charter of the United Nations, and to consider views expressed, especially by host countries, when appropriate, in this regard;

63. *Welcomes* the actions taken by the Department of Public Information to increase its involvement in the planning stage of new or expanding peacekeeping operations, as well as the deployment of public information components in new missions, and also welcomes the improvements made to the peacekeeping portal on the United Nations web site;

64. *Encourages* the Department of Public Information to continue its efforts in supporting the peacekeeping missions to further develop their web sites;

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[106] A/AC.198/2004/2.

[107] A/57/304, annex.

65. *Regrets* the information gap between the new realities and successes of peacekeeping operations, especially multidimensional and complex ones, and the public perceptions, as stated by the Secretary-General in his report on the implementation of the recommendations of the Special Committee on Peacekeeping Operations,[108] and stresses the need for a comprehensive public information strategy on peacekeeping operations, undertaken in close coordination with other relevant departments, in order to overcome this gap and ensure a positive public impact;

66. *Emphasizes* the need for interdepartmental cooperation between the Department of Peacekeeping Operations and the Department of Public Information in order to develop the strategy requested in paragraph 65 above;

67. *Requests* the Secretary-General to continue to report to the Committee on Information at its successive sessions on the role of the Department of Public Information in United Nations peacekeeping;

Role of the Department of Public Information in strengthening dialogue among civilizations and the culture of peace as means of enhancing understanding among nations

68. *Recalls* its resolutions 53/22 of 4 November 1998 and 55/23 of 13 November 2000 on the United Nations Year of Dialogue among Civilizations, 52/15 of 20 November 1997, by which it proclaimed 2000 the International Year for the Culture of Peace, 53/25 of 10 November 1998, by which it proclaimed the period 2001–2010 the International Decade for a Culture of Peace and Non-Violence for the Children of the World, and 56/6 of 9 November 2001 on the Global Agenda for Dialogue among Civilizations, encourages the Department of Public Information to provide the necessary support, within existing resources, for the dissemination of information pertaining to dialogue among civilizations and the culture of peace and to take due steps in fostering the culture of dialogue among civilizations via all mass media, such as the Internet, print, radio and television, and requests the Secretary-General to submit a report in this regard to the Committee on Information at its twenty-seventh session;

V

News services

69. *Stresses* that the central objective of the news services, implemented by the News and Media Division, is the timely delivery of accurate, objective and balanced news and information emanating from the United Nations system in all four mass media – print, radio, television and Internet – to the media and other audiences worldwide with the overall emphasis on multilingualism;

Traditional means of communication

70. *Also stresses* that radio remains one of the most cost-effective and far-reaching traditional media available to the Department of Public Information and an important instrument in United Nations activities, including development and peacekeeping, with a view to achieving a broad client base around the world;

71. *Notes* that the international radio broadcasting capacity for the United Nations has been made an integral part of the activities of the Department of Public Information, and requests the Secretary-General to make every effort to ensure its success and to report on its activities to the Committee on Information at its twenty-seventh session;

72. *Requests* the Secretary-General to pay full attention to the parity of the six official languages in expanding the international radio broadcasting capacity;

73. *Notes* the efforts being made by the Department of Public Information to disseminate programmes directly to broadcasting stations all over the world in the six official languages, with the addition of Portuguese, as well as in other languages, where possible, and, in this regard, stresses the need for impartiality and objectivity concerning information activities of the United Nations;

74. *Encourages* the Department of Public Information to continue building partnerships with local, national and regional broadcasters to extend the United Nations message to all the corners of the world in an accurate and impartial way;

75. *Emphasizes* that the United Nations Radio and Television Service should take full advantage of the technological infrastructure made available in recent years, including satellite platforms, information and communication technologies and the Internet, and requests the Secretary-General, as a part of the reorientation of the Department of Public Information, to consider a global strategy for broadcasting, taking into account existing technologies;

United Nations web site

76. *Reiterates its appreciation* for the efforts of the Department of Public Information in creating a high-quality, user-friendly and cost-effective web site, noting that this is especially noteworthy considering the scope of the undertaking, the budget constraints within the United Nations and the remarkably rapid expansion of the World Wide Web, and reaffirms that the web site remains a very useful tool for the media, non-governmental organizations, educational institutions, Member States and the general public;

77. *Stresses* the need for the Department of Public Information to take further necessary measures to ensure accessibility to the United Nations web site by persons with disabilities, including visual and hearing disabilities, calls upon the Department, as a first step, to make further efforts for all

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[108] A/58/694, para. 56.

new and revised pages to adhere to the obligatory level of compliance with recognized industry standards regarding such accessibility and, within existing resources, to work towards compliance with all other levels of such standards, and requests the Secretary-General to report to the Committee on Information at its twenty-seventh session on progress made in this regard;

78. *Notes* that the multilingual development and enrichment of the United Nations web site has improved, although at a slower rate than expected owing to several constraints that need to be addressed, and, in this regard, encourages the Department of Public Information, in coordination with content-providing offices, to improve the actions undertaken to achieve parity among the six official languages on the United Nations web site;

79. *Stresses* the need to adopt a decision on the multilingual development, maintenance and enrichment of the United Nations web site, considering, inter alia, the possibility of organizational restructuring towards separate language units for each of the six official languages within the Department of Public Information, in order to achieve full parity among the official languages of the United Nations;

80. *Reaffirms its request* to the Secretary-General to ensure, until such a decision has been taken and implemented, to the extent possible and while maintaining an up-to-date and accurate web site, the equitable distribution of financial and human resources within the Department of Public Information allocated to the United Nations web site among all official languages on a continuous basis, and to make every possible effort to ensure also that all materials contained on the web site that do not change and do not need regular maintenance are made available in all six official languages;

81. *Reaffirms* the need to achieve full parity among the six official languages on the United Nations web sites, and, in this regard, takes note of the proposal of the Secretary-General to translate all English materials and databases posted on the United Nations web sites by the respective content-providing offices of the Secretariat into all official languages,[109] and reiterates its request to the Secretary-General to report to the Committee on Information at its twenty-seventh session on the most practical, efficient and cost-effective means of implementing this proposal;

82. *Requests* the Secretary-General to include in his report to the Committee on Information at its twenty-seventh session proposals relating to the designation of a date by which all supporting arrangements would be in place for the implementation of this concept, after which date parity would continue, as well as proposals relating to the exemption from translation of specific items on the United Nations web site;

83. *Stresses* the importance of access for the public to the United Nations Treaty Collection and United Nations parliamentary documentation;

84. *Encourages* the Department of Public Information to implement an e-mail service to inform subscribers of recent additions to the United Nations web site;

85. *Encourages* the Secretary-General, through the Department of Public Information, to continue to take full advantage of recent developments in information technology in order to improve, in a cost-effective manner, the expeditious dissemination of information on the United Nations, in accordance with the priorities established by the General Assembly and taking into account the linguistic diversity of the Organization;

86. *Notes* the gap among different official languages on United Nations web sites, and recognizes that some official languages use non-Latin and bidirectional scripts;

87. *Recognizes* that technological infrastructures and supportive applications in the United Nations are based on Latin script, which leads to difficulties in processing non-Latin and bidirectional scripts, and encourages the Department of Public Information to continue its efforts, to the extent possible, to ensure that technological infrastructures and supportive applications in the United Nations fully support Latin, non-Latin and bidirectional scripts so as to enhance the equality of all official languages on the United Nations web site;

88. *Notes with satisfaction* that access to the Official Document System of the United Nations will be provided free to the public by the end of 2004, and requests the Secretary-General to report on progress to the Committee on Information at its twenty-seventh session;

89. *Commends* the Information Technology Services Division of the Office of Central Support Services of the Secretariat on its efforts to ensure that the required technological infrastructure is in place to accommodate the linkage of the Official Document System to the United Nations web site, and also commends the Department of Public Information for addressing issues of content management relating to that System;

90. *Takes note* of paragraph 56 of its resolution 58/270, in which it reaffirmed that the Official Document System of the United Nations, as an archival and retrieval system of official documents, should cover the entire Organization, and requests the Secretary-General to transmit the report requested in this regard to the Committee on Information at its twenty-seventh session;

91. *Welcomes* the electronic mail-based United Nations News Service, distributed worldwide through e-mail by the Department of Public Information, and requests the Department to provide this service in all official languages, ensuring that

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[109] A/AC.198/2002/6, para. 33.

news-breaking stories and news alerts are accurate, impartial and free of bias;

92. *Also welcomes* the inclusion of news e-mail services in the English and French languages and the Secretary-General's intention to include the other official languages in these services by 2004;

93. *Calls upon* the Secretary-General to continue to work within the United Nations System Chief Executives Board for Coordination and other appropriate inter-agency bodies to establish a United Nations portal, an inter-agency search facility encompassing the public web sites of all United Nations system organizations, and requests the Secretary-General to report on this matter to the Committee on Information at its twenty-seventh session;

94. *Reiterates its request* to the Department of Public Information to encourage all United Nations system entities to participate in the United Nations system search pilot project, and requests the Secretary-General to report to the Committee on Information at its twenty-seventh session on the activities of the High-Level Committee on Management in this regard;

95. *Reaffirms* paragraph 42 of its resolution 58/270, in which it requested the Secretary-General to strengthen the web site through further redeployment to the required language posts;

VI

Library services

96. *Welcomes* the progress reported by the Secretary-General in his report on the modernization and integrated management of United Nations libraries and in-depth review of library activities,[110] in particular the efforts to fill gaps in the Official Document System of the United Nations, establish common standards for indexing, cataloguing and collection development, produce a common list of serials, eliminate duplication in the acquisition of electronic information, create joint web pages and assess the needs of the smaller libraries of the Organization;

97. *Also welcomes* the creation of the Steering Committee for the Modernization and Integrated Management of United Nations Libraries, and commends the Steering Committee for its coordinating role and initial organizational efforts and for reaching agreement on an impressive programme of work;

98. *Acknowledges* that the Dag Hammarskjöld Library, as part of the Outreach Division of the Department of Public Information, endeavours to facilitate access to timely and up-to-date library products and services for use by delegates, permanent missions of Member States, the Secretariat, researchers and depository libraries worldwide, notes the continuing efforts of the Secretary-General to make the Library a virtual library with world outreach, reiterates the need to enable the provision of hard copies to Member States, subject to the relevant provisions of its resolution 57/283 B of 15 April 2003, and also notes the efforts of the Secretary-General to enrich, on a multilingual basis, the stock of books and journals in the Library, including publications on peace and security and development-related issues, in order to ensure that the Library continues to be a broadly accessible resource for information about the United Nations and its activities;

99. *Calls upon* the Department of Public Information to continue to lead the Steering Committee, encourages the member libraries of the Steering Committee to coordinate closely and to establish time frames for fulfilment of its programme of work, and requests the Secretary-General to report to the Committee on Information at its successive sessions on the activities of the Dag Hammarskjöld Library and the work of the Steering Committee;

100. *Takes note* of paragraph 50 of its resolution 58/270, in which it requested the Secretary-General to conduct, through the Office of Internal Oversight Services, a review of the operation and management of United Nations libraries, with a view to assessing staffing requirements for those libraries in the light of technological advances in the delivery of information services, and to report thereon to the General Assembly at its fifty-ninth session, and requests the Secretary-General to transmit that report to the Committee on Information at its twenty-seventh session;

101. *Recognizes* the importance of the depository libraries in disseminating information and knowledge about United Nations activities, and, in this connection, urges the Dag Hammarskjöld Library, in its capacity as the focal point, to take the initiatives necessary to strengthen such libraries by providing regional training and other assistance;

102. *Notes* the holding of training courses conducted by the Dag Hammarskjöld Library for the representatives of Member States and Secretariat staff on the use of Cyberseek, web search, the Intranet, United Nations documentation, United Nations Info Quest and the Official Document System of the United Nations;

103. *Recalls* paragraph 44 of its resolution 56/64 B of 24 December 2001, in which it welcomed the role of the Department of Public Information in fostering increased collaboration among libraries of the United Nations system, particularly in establishing one central system-wide online catalogue that would allow for the searching of the bibliographic records of all print holdings of all United Nations system libraries, commends the International Computing Centre for developing the United Nations System Shared Cataloguing and Public Access System, which provides a single point of access to library catalogues, indexes and abstract databases,

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[110] A/AC.198/2004/4.

library holdings, links to full-text resources and archives, also commends the Department for its role in the development of the United Nations System Shared Cataloguing and Public Access System, requests the Department to encourage all United Nations system organizations to participate in the System, and requests the Secretary-General to report to the Committee on Information at its twenty-seventh session in this regard;

104. *Notes with appreciation* the operation of a common library in Nairobi within existing resources, in line with the approach set out in paragraph 37 of the Secretary-General's report on the modernization and integrated management of United Nations libraries and in-depth review of library activities,[110] and urges all United Nations offices in Nairobi to participate in and support this venture;

VII

Outreach services

105. *Acknowledges* that the outreach services, implemented by the Outreach Division of the Department of Public Information, continue to work towards promoting awareness of the role and work of the United Nations on priority issues;

106. *Notes* the importance of the continued implementation by the Department of Public Information of the ongoing programme for broadcasters and journalists from developing countries and countries in transition, as mandated by the General Assembly, and encourages the Department to consider how best to maximize the benefits derived from the programme by reviewing, inter alia, its duration and the number of its participants;

107. *Recognizes* the need for the Department of Public Information to increase its outreach services in all regions, and reiterates the need to include, in the reorientation of United Nations activities in the field of public information and communications, an analysis of the present reach and scope of the activities of the Department, identifying the widest possible spectrum of audiences and geographical areas that are not covered adequately and that may require special attention, including the appropriate means of communication and bearing in mind local language requirements;

108. *Welcomes* the movement towards educational outreach and the orientation of the *UN Chronicle*, both print and online editions, to this end;

109. *Calls upon* the Department of Public Information to strengthen its role as a focal point for two-way interaction with civil society relating to the priorities and concerns of the Organization;

110. *Congratulates* the United Nations Correspondents Association on its Dag Hammarskjöld Memorial Scholarship Fund, which sponsors journalists from developing countries to come to the United Nations Headquarters and report on the activities during the General Assembly, and urges donors to extend financial support to the Fund so that it may increase the number of such scholarships to journalists in this context;

111. *Notes* that the sixtieth anniversary of the founding of the United Nations will be observed in 2005, and requests the Department of Public Information to take necessary measures to publicize the occasion in every way possible, stressing the purposes and principles enshrined in the Charter of the United Nations and highlighting the accomplishments of the Organization in the past six decades;

VIII

Final remarks

112. *Requests* the Secretary-General to report to the Committee on Information at its twenty-seventh session and to the General Assembly at its sixtieth session on the activities of the Department of Public Information and on the implementation of the recommendations contained in the present resolution;

113. *Requests* the Committee on Information to report to the General Assembly at its sixtieth session;

114. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Questions relating to information".

RESOLUTION 59/127

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/474, para. 7),[111] by a recorded vote of 172 to none, with 6 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan,

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[111] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: France, Israel, Micronesia (Federated States of), Palau, United Kingdom of Great Britain and Northern Ireland, United States of America

59/127. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

The General Assembly,

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling also its resolution 58/102 of 9 December 2003, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

Having examined the report of the Secretary-General,[112]

1. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

2. *Requests* the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

3. *Requests* the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

4. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures.

RESOLUTION 59/128

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/475, para. 7),[113] by a recorded vote of 173 to 3, with 3 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Palau, United States of America

Abstaining: France, Haiti, United Kingdom of Great Britain and Northern Ireland

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[112] A/59/71.

[113] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

59/128. Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[114]

Recalling its resolution 1514 (XV) of 14 December 1960, as well as all other relevant resolutions of the General Assembly, including, in particular, resolutions 46/181 of 19 December 1991 and 55/146 of 8 December 2000,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the economic stability, diversification and strengthening of the economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and also to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories;

3. *Reaffirms* the responsibility of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of the peoples of those Territories over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, and of their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Affirms* the need to avoid any economic and other activities that adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Reiterates* that the damaging exploitation and plundering of the marine and other natural resources of the Non-Self-Governing Territories, in violation of the relevant resolutions of the United Nations, are a threat to the integrity and prosperity of those Territories;

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[114] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. V.

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV);

12. *Appeals* to the mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its sixtieth session.

RESOLUTION 59/129

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/476, para. 6),[115] by a recorded vote of 121 to none, with 57 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Albania, Andorra, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

59/129. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having also considered the report of the Secretary-General[116] and the report of the Economic and Social Council[117] on the item,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[118]

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[115] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[116] A/59/64.

[117] E/2004/47.

[118] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. VI.

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and the resolutions of the Special Committee, as well as other relevant resolutions and decisions, including in particular Economic and Social Council resolution 2003/51 of 24 July 2003,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV),

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Also welcoming the current participation in the capacity of observers of those Non-Self-Governing Territories that are associate members of regional commissions in the world conferences in the economic and social sphere, subject to the rules of procedure of the General Assembly and in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the Assembly and the Special Committee on specific Territories,

Noting that only some specialized agencies and other organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

Stressing that, because the development options of the small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the continuing cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the necessary resources for funding expanded programmes of assistance for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

Expressing its appreciation to the African Union, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

Recalling General Assembly resolution 58/104 of 9 December 2003 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

1. *Takes note* of the report of the Secretary-General;[116]

2. *Recommends* that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and other relevant resolutions of the United Nations;

3. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant General Assembly resolutions;

4. *Reaffirms also* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

5. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and requests all the

specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

6. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

7. *Urges* those specialized agencies and organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

8. *Requests* the specialized agencies and other organizations and institutions of the United Nations system and regional organizations to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

9. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(*a*) Environmental problems facing the Non-Self-Governing Territories;

(*b*) The impact of natural disasters, such as hurricanes and volcanic eruptions, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(*c*) Ways and means to assist the Territories to fight drug trafficking, money-laundering and other illegal and criminal activities;

(*d*) The illegal exploitation of the marine resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

10. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

11. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

12. *Welcomes* the continuing initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system, including the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, and in providing assistance to the peoples of the Non-Self-Governing Territories;

13. *Encourages* Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies;

14. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on specific Territories, so that the Territories may benefit from the related activities of those agencies and organizations;

15. *Recommends* that all Governments intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

16. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

17. *Commends* the Economic and Social Council for its debate and resolution on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

18. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

19. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the necessary measures to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

20. *Requests* the Special Committee to continue to examine the question and to report thereon to the General Assembly at its sixtieth session.

RESOLUTION 59/130

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the recommendation of the Committee (A/59/477, para. 6)[119]

59/130. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

The General Assembly,

Recalling its resolution 58/105 of 9 December 2003,

Having examined the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories,[120] prepared pursuant to its resolution 845 (IX) of 22 November 1954,

Conscious of the importance of promoting the educational advancement of the inhabitants of Non-Self-Governing Territories,

Strongly convinced that the continuation and expansion of offers of scholarships is essential in order to meet the increasing need of students from Non-Self-Governing Territories for educational and training assistance, and considering that students in those Territories should be encouraged to avail themselves of such offers,

1. *Takes note* of the report of the Secretary-General;[120]

2. *Expresses its appreciation* to those Member States that have made scholarships available to the inhabitants of Non-Self-Governing Territories;

3. *Invites* all States to make or continue to make generous offers of study and training facilities to the inhabitants of those Territories that have not yet attained self-government or independence and, wherever possible, to provide travel funds to prospective students;

4. *Urges* the administering Powers to take effective measures to ensure the widespread and continuous dissemination in the Territories under their administration of information relating to offers of study and training facilities made by States and to provide all the necessary facilities to enable students to avail themselves of such offers;

5. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

6. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

RESOLUTION 59/131

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/478, para. 38),[121] by a recorded vote of 50 to none, with 100 abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Armenia, Bahamas, Barbados, Belarus, Belize, Bolivia, Botswana, Burundi, Cambodia, Colombia, Cuba, Democratic People's Republic of Korea, Dominica, Egypt, Eritrea, Ethiopia, Grenada, Guinea-Bissau, Guyana, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Mauritius, Mexico, Mozambique, Myanmar, Namibia, Nauru, Panama, Papua New Guinea, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, South Africa, Suriname, Timor-Leste, Trinidad and Tobago, Uganda, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe

Against: None

Abstaining: Albania, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Finland, France, Gabon, Germany, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Japan, Jordan, Kuwait, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Monaco, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Palau, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen

59/131. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

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[119] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Argentina, China, Cuba, Egypt, Ghana, India, Iran (Islamic Republic of), Nigeria, Papua New Guinea, Philippines, Singapore, Thailand and United Republic of Tanzania.

[120] A/59/74.

[121] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Antigua and Barbuda, Belize, Botswana, Burundi, Cuba, Dominica, Ethiopia, Fiji, Grenada, Jamaica, Kenya, Lesotho, Liberia, Malawi, Mauritius, Micronesia (Federated States of), Mozambique, Namibia, Nauru, Nigeria, Palau, Papua New Guinea, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sierra Leone, Solomon Islands, South Africa, Suriname, Timor-Leste, Tonga, Trinidad and Tobago, Uganda, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Zambia and Zimbabwe.

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 58/109 of 9 December 2003,

Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, by which the Security Council approved the settlement plan for Western Sahara,[122]

Recalling Security Council resolutions 1359 (2001) of 29 June 2001 and 1429 (2002) of 30 July 2002, as well as resolution 1495 (2003) of 31 July 2003, in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara [123] as an optimum political solution on the basis of agreement between the two parties, and resolution 1541 (2004) of 29 April 2004,

Taking note of the responses of the parties and neighbouring States to the Personal Envoy of the Secretary-General, concerning the peace plan, contained in the report of the Secretary-General of 23 May 2003,[124]

Reaffirming the responsibility of the United Nations towards the people of Western Sahara,

Noting with satisfaction the entry into force of the ceasefire in accordance with the proposal made by the Secretary-General,[125] and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

Underlining, in this regard, the validity of the settlement plan, while noting the fundamental differences between the parties in its implementation,

Stressing that the lack of progress in the settlement of the dispute on Western Sahara continues to cause suffering to the people of Western Sahara, remains a source of potential instability in the region and obstructs the economic development of the Maghreb region and that, in view of this, the search for a political solution is critically needed,

Welcoming the efforts of the Secretary-General in search of a mutually acceptable political solution, which will provide for self-determination of the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[126]

Having also examined the report of the Secretary-General,[127]

1. *Takes note* of the report of the Secretary-General;[127]

2. *Underlines* Security Council resolution 1495 (2003), in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara as an optimum political solution on the basis of agreement between the two parties;

3. *Continues to support strongly* the efforts of the Secretary-General in order to achieve a mutually acceptable political solution to the dispute over Western Sahara;

4. *Commends* the Secretary-General for his outstanding efforts and the two parties for the spirit of cooperation they have shown in the support they provide for those efforts;

5. *Calls upon* all the parties and the States of the region to cooperate fully with the Secretary-General;

6. *Reaffirms* the responsibility of the United Nations towards the people of Western Sahara;

7. *Calls upon* the parties to cooperate with the International Committee of the Red Cross in its efforts to solve the problem of the fate of the people unaccounted for, and calls upon the parties to abide by their obligations under international humanitarian law to release without further delay all those held since the start of the conflict;

8. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the General Assembly at its sixtieth session;

9. *Invites* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution.

RESOLUTION 59/132

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the recommendation of the Committee (A/59/478, para. 38)[128]

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[122] See S/21360 and S/22464 and Corr.1.

[123] S/2003/565 and Corr.1, annex II.

[124] S/2003/565 and Corr.1.

[125] See A/58/171.

[126] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. VIII.

[127] A/59/134.

[128] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

59/132. Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[129]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Welcomes* the significant developments that have taken place in New Caledonia as exemplified by the signing of the Nouméa Accord of 5 May 1998 by the representatives of New Caledonia and the Government of France;[130]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and also those provisions of the Accord relating to control of immigration and protection of local employment;

4. *Also notes* the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

5. *Further notes* the agreement between the signatories of the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

6. *Welcomes* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

7. *Calls upon* the administering Power to transmit information regarding the political, economic and social situation of New Caledonia to the Secretary-General;

8. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights and identity of all the sectors of the population, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

9. *Welcomes* measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

10. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

11. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

12. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, notably the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

13. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

14. *Welcomes*, in this regard, the accession by New Caledonia to the status of observer in the Pacific Islands Forum, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

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[129] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. VIII.

[130] A/AC.109/2114, annex.

15. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

16. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixtieth session.

RESOLUTION 59/133

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the recommendation of the Committee (A/59/478, para. 38)[131]

59/133. Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau,[132]

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting also with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Recalling the inauguration in 1999 of a national legislative body, the General Fono, based on village elections by universal adult suffrage and the assumption by that body in June 2003 of full responsibility for the Tokelau budget,

Recalling also the report of the United Nations mission dispatched in August 2002 to Tokelau at the invitation of the Government of New Zealand and the representatives of Tokelau,[133]

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories and that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

Recalling that New Zealand and Tokelau signed in November 2003 a document entitled "Joint statement of the principles of partnership", which sets out in writing, for the first time, the rights and obligations of the two partner countries,

Recalling also the decision of the General Fono at its meeting in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association,

1. *Notes* that Tokelau remains firmly committed to the development of self-government and to an act of self-determination that would result in Tokelau assuming a status in accordance with the options on future status for Non-Self-Governing Territories contained in principle VI of the annex to General Assembly resolution 1541 (XV) of 15 December 1960;

2. *Welcomes* the substantial progress made in the past year towards the devolution of power to the three taupulega (village councils), in particular the delegation of the Administrator's powers to the three taupulega with effect from 1 July 2004 and the assumption by each taupulega from that date of full responsibility for the management of all its public services;

3. *Notes in particular* the decision of the General Fono in November 2003, following extensive consultations in all three villages and a meeting of the Special Committee on the Constitution of Tokelau, to explore formally with New Zealand the option of self-government in free association, and the discussions now under way between Tokelau and New Zealand pursuant to the General Fono decision;

4. *Notes* that the General Fono has endorsed a series of recommendations of the workshop of the Special Committee on the Constitution held in Tokelau in October 2003 with the support of the United Nations Development Programme relating to Tokelau's Constitution, the role and functioning of the General Fono, the judicial system and international human rights conventions;

5. *Acknowledges* Tokelau's initiative in devising a strategic economic development plan for the period 2002–2004 to advance its capacity for self-government;

6. *Also acknowledges* the continuing assistance that New Zealand has committed to promoting Tokelau's self-government as well as the cooperation of the United Nations Development Programme;

7. *Further acknowledges* Tokelau's need for continued reassurance, given the cultural adjustments that are taking place with the strengthening of its capacity for self-government and, since local resources cannot adequately cover the material side of self-determination, the ongoing responsibility of Tokelau's

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[131] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[132] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. X.

[133] A/AC.109/2002/31.

external partners to assist Tokelau in balancing its desire to be self-reliant to the greatest extent possible with its need for external assistance;

8. *Welcomes* the establishment of an international trust fund to support Tokelau's future development needs, and urges all Member States and international and regional agencies to contribute to the fund and thereby lend practical support to assist this emerging country in overcoming the problems of smallness, isolation and lack of resources;

9. *Welcomes* the assurance of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

10. *Also welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau, its economic and political aspirations and its increasing participation in regional and international affairs;

11. *Further welcomes* Tokelau's associate membership in the United Nations Educational, Scientific and Cultural Organization and its recent accession to membership in the Forum Fisheries Agency;

12. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops its economy and governance structures in the context of its ongoing constitutional evolution;

13. *Notes with satisfaction* the invitation of the Ulu o Tokelau to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to attend the workshop of the Special Committee on the Constitution to be held in October 2004 in the Tokelau Islands;

14. *Requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its sixtieth session.

RESOLUTIONS 59/134 A and B

Adopted at the 71st plenary meeting, on 10 December 2004, without a vote, on the recommendation of the Committee (A/59/478, para. 38)[134]

59/134. Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

A

GENERAL

The General Assembly,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[135]

Recalling all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its fifty-eighth session on the individual Territories covered by the present resolution,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Recalling General Assembly resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing its concern that more than forty-three years after the adoption of the Declaration there still remain a number of Non-Self-Governing Territories,

Conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,[136]

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[134] The draft resolutions recommended in the report were submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[135] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. IX.

[136] See A/56/61, annex.

Recognizing that the specific characteristics and the sentiments of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Taking note of the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland on the Non-Self-Governing Territories under its administration,[137]

Taking note also of the stated position of the Government of the United States of America on the Non-Self-Governing Territories under its administration,[138]

Noting the constitutional developments in some Non-Self-Governing Territories about which the Special Committee has received information,

Aware of the usefulness both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the supervision of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

Aware of the importance of international financial services for the economies of some of the Non-Self-Governing Territories,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including their participation in the work of regional organizations,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Recognizing the need for the Special Committee to embark actively on a public awareness campaign aimed at assisting the peoples of the Territories in gaining an understanding of the options of self-determination,

Mindful, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters and other venues, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in their success, while recognizing the need for reviewing the role of those seminars in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful also that, by holding a Pacific regional seminar in Madang, Papua New Guinea, from 18 to 20 May 2004, the Special Committee was able to hear the views of the representatives of the Territories and Member States as well as organizations and experts in the region, in order to review the political, economic and social conditions in the Territories,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation and, in this connection, bearing in mind the programmes of action of the United Nations Conference on Environment and Development,[139] the World Conference on Natural Disaster Reduction,[140] the Global Conference on the Sustainable Development of Small Island Developing States,[141] the International Conference on Population and Development,[142] the United Nations Conference on Human Settlements

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[137] See *Official Records of the General Assembly, Fifty-eighth Session, Fourth Committee*, 2nd meeting (A/C.4/58/SR.2), and corrigendum.

[138] Ibid., *Plenary Meetings*, 72nd meeting (A/58/PV.72), and corrigendum.

[139] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*.

[140] See A/CONF.172/9, chap. I.

[141] See *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I.

[142] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

(Habitat II),[143] the World Summit on Sustainable Development[144] and other relevant world conferences,

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system,

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Reaffirms also* that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Reaffirms further* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments, to promote political education in the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in General Assembly resolution 1541 (XV);

4. *Requests* the administering Powers to continue to transmit to the Secretary-General information called for under Article 73 *e* of the Charter;

5. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

6. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. *Requests* the Special Committee to continue to follow closely the developments in legislation in the area of international financial services and its impact on the economy in some of the Territories;

8. *Requests* the Territories and the administering Powers to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

9. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

10. *Stresses* the importance of implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[136] in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis;

11. *Invites* the administering Powers to participate fully in the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration;

12. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the Second International Decade for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

13. *Notes* that some Non-Self-Governing Territories have expressed concern at the procedure followed by one administering Power, contrary to the wishes of the Territories themselves, namely, of amending or enacting legislation for the Territories through Orders in Council, in order to apply to the Territories the international treaty obligations of the administering Power;

14. *Takes note* of the constitutional reviews in the Territories administered by the United Kingdom of Great Britain and Northern Ireland and led by the territorial Governments;

15. *Reiterates its requests* to the Secretary-General to report to the General Assembly on the implementation of decolonization resolutions since the proclamation of the Second International Decade for the Eradication of Colonialism for the purpose of a midterm review in 2005;

16. *Requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territories and

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[143] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

[144] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

to report thereon to the General Assembly at its sixtieth session with recommendations on appropriate ways to assist the peoples of the Territories in exercising their right to self-determination.

B

INDIVIDUAL TERRITORIES

The General Assembly,

Referring to resolution A above,

I

American Samoa

Taking note of the report by the administering Power that most American Samoan leaders express satisfaction with the Territory's present relationship with the United States of America, as reflected in statements made by those leaders in the regional seminars held in Havana, Cuba, Nadi, Fiji, and Madang, Papua New Guinea, in 2001, 2002 and 2004, respectively,

Noting that the Government of the Territory continues to take steps to increase revenue and decrease government expenditure,

Noting also that the Territory, similar to isolated communities with limited funds, continues to experience a lack of adequate medical and other infrastructural facilities,

1. *Notes* that the Department of the Interior of the United States of America provides that the Secretary of the Interior has administrative jurisdiction over American Samoa;

2. *Calls upon* the administering Power to continue to assist the territorial Government in the economic and social development of the Territory, including measures to rebuild financial management capabilities and strengthen other governmental functions of the Government of the Territory, and welcomes the assistance from the administering Power to the Territory in its recovery efforts following the recent floods;

3. *Welcomes* the invitation extended to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the Governor of American Samoa at the Pacific regional seminar held in Madang, Papua New Guinea, from 18 to 20 May 2004, to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission and requests the Chairman of the Special Committee to take all the necessary steps to that end;

II

Anguilla

Taking note of the constitutional review process led by the territorial Government,

Recalling the holding of the 2003 Caribbean regional seminar in Anguilla, the first time that the seminar has been held in a Non-Self-Governing Territory,

Noting the desire of the territorial Government and the people of Anguilla for a visiting mission by the Special Committee,

Aware of the efforts of the Government of Anguilla to continue to develop the Territory as a viable offshore centre and well-regulated financial centre for investors by enacting modern company and trust laws, as well as partnership and insurance legislation, and computerizing the company registry system,

1. *Welcomes* the constitutional review process led by the Government of Anguilla in cooperation with the administering Power;

2. *Recalls* the cooperation of the territorial Government of Anguilla and the United Kingdom of Great Britain and Northern Ireland in holding the 2003 Caribbean regional seminar in Anguilla, and notes that the staging of the seminar in a Non-Self-Governing Territory for the first time, as well as a town hall meeting between the people of Anguilla and the Special Committee during the seminar, contributed to its success;

III

Bermuda

Noting the results of the independence referendum held on 16 August 1995, and conscious of the different viewpoints of the political parties of the Territory on the future status of the Territory,

1. *Welcomes* the agreement reached in June 2002 between the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Territory formally transferring the former military base lands to the territorial Government, and the provision of financial resources to address some of the environmental problems;

2. *Decides* to closely follow the territorial consultations on the future status of Bermuda and to facilitate assistance to the Territory in a public educational programme, if requested, as well as to hold consultations and to make all necessary arrangements to have a visiting mission to the Territory;

IV

British Virgin Islands

Taking note of the constitutional review process led by the territorial Government,

Noting that the Territory continues to emerge as one of the world's leading offshore financial centres, *Welcomes* the constitutional review process led by the Government of the British Virgin Islands in cooperation with the administering Power;

V

Cayman Islands

Taking note of the constitutional review process led by the territorial Government,

Noting the approval by the Cayman Islands Legislative Assembly of the Territory's Vision 2008 Development Plan, which aims to promote development that is consistent with the aims and values of Caymanian society,

Welcomes the continuing constitutional review process led by the Government of the Cayman Islands in cooperation with the administering Power;

VI

Guam

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling also the requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act are no longer continuing and that Guam has established the process for a self-determination vote by the eligible Chamorro voters,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

Aware of the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture and other viable activities,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory, and noting the recommendation of the 1996 Pacific regional seminar for sending a visiting mission to Guam,[145]

1. *Calls upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the plebiscite of 1987 and as provided for in Guam law, encourages the administering Power and the territorial Government of Guam to enter into negotiations on the matter, and requests the administering Power to inform the Secretary-General of progress to that end;

2. *Requests* the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

3. *Also requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory;

4. *Further requests* the administering Power to continue to recognize and respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam, and to take all necessary measures to respond to the concerns of the territorial Government with regard to the question of immigration;

5. *Requests* the administering Power to cooperate in establishing programmes specifically intended to promote the sustainable development of economic activities and enterprises, noting the special role of the Chamorro people in the development of Guam;

6. *Also requests* the administering Power to continue to support appropriate measures by the territorial Government aimed at promoting growth in commercial fishing and agricultural and other viable activities;

VII

Montserrat

Taking note with interest of the statements made and the information on the political and economic situation in Montserrat provided by the Chief Minister of the Territory to the Caribbean regional seminar, held at The Valley, Anguilla, from 20 to 22 May 2003,

Noting with concern the dire consequences of the volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, in particular Antigua and Barbuda and the United Kingdom of Great Britain and Northern Ireland, and which continues to have enduring consequences for the economy of the island,

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[145] See A/AC.109/2058, para. 33 (20).

Welcoming the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the continuing efforts of the administering Power to deal with the consequences of the volcanic eruption,

Noting with concern that a number of the inhabitants of the Territory continue to live in shelters because of volcanic activity,

Taking note of the constitutional review process led by the territorial Government,

1. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

2. *Welcomes* the continuing constitutional review process led by the Government of Montserrat in cooperation with the administering Power;

VIII

Pitcairn

Taking into account the unique nature of Pitcairn in terms of population and area,

Welcoming the participation of a representative of the Mayor of Pitcairn in the Pacific regional seminar, held in Madang, Papua New Guinea, from 18 to 20 May 2004, and taking note of the positive developments in the Territory,

Requests the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the representatives of Pitcairn on how best to support their economic security;

IX

Saint Helena

Taking into account the unique character of Saint Helena, its population and its natural resources,

Taking note of the constitutional review process led by the territorial Government,

Aware of the efforts of the administering Power and the territorial authorities to improve the socio-economic conditions of the population of Saint Helena, in particular in the sphere of food production, continuing high unemployment and limited transport and communications,

Noting with concern the problem of unemployment on the island and the joint action of the administering Power and the territorial Government to deal with it,

1. *Welcomes* the continuing constitutional review process led by the Government of Saint Helena in cooperation with the administering Power;

2. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socio-economic development challenges, including the high unemployment and the limited transport and communications problems;

X

Turks and Caicos Islands

Noting the results of the general elections held in April 2003,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities, as well as its problems caused by illegal immigration and the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money-laundering,

Taking note of the constitutional review process led by the territorial Government,

Welcomes the continuing constitutional review process led by the Government of the Turks and Caicos Islands in cooperation with the administering Power;

XI

United States Virgin Islands

Noting the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and observer status in the Caribbean Community and the pending request by the Territory to the administering Power for the delegation of authority to proceed, as well as the 2003 resolution of the territorial legislature in support of that request,

Noting also the necessity of further diversifying the economy of the Territory,

Noting further the efforts of the Government of the Territory to promote the Territory as an offshore financial services centre,

Recalling that the Territory has not received a United Nations visiting mission since 1977, and bearing in mind the formal request of the Territory for such a mission in 1993 to assist the Territory in its political education process and to observe the Territory's only referendum on political status options in its history,

Noting the ongoing cooperation between the territorial Government and Denmark on the exchange of artefacts and archives,

1. *Requests* the administering Power to continue to assist the territorial Government in achieving its political, economic and social goals;

2. *Once again requests* the administering Power to facilitate the participation of the Territory, as appropriate, in various organizations, in particular the Organization of Eastern Caribbean States, the Caribbean Community and the Association of Caribbean States;

3. *Calls for* the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

4. *Notes* the economic difficulties being experienced by the territorial Government and the fiscal austerity measures being implemented, and others proposed, to relieve the Territory's cash flow shortage, and calls upon the administering Power to continue to provide every assistance required by the Territory to further alleviate the difficult economic situation, including, inter alia, the provision of debt relief and loans;

5. *Notes also* the position of the territorial Government, including its articulation in resolution 1609 of 9 April 2001 of the 24th Legislature of the United States Virgin Islands, opposing the assumption by the administering Power of submerged land in territorial waters, having regard to relevant resolutions of the General Assembly on the ownership and control of natural resources, including marine resources, by the people of the Non-Self-Governing Territories, and its calls for the return of those marine resources within its jurisdiction.

RESOLUTION 59/135

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/478, para. 38),[146] by a recorded vote of 170 to 3, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: France

59/135. Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[147]

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular Assembly resolution 58/110 of 9 December 2003,

Recognizing the need for flexible, practical and innovative approaches to reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to achieving the goals of the Second International Decade for the Eradication of Colonialism,

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 *e* of the Charter of the United Nations,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

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[146] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[147] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. III.

1. *Approves* the activities in the field of dissemination of information on decolonization undertaken by the Department of Public Information and the Department of Political Affairs of the Secretariat, in accordance with the relevant resolutions of the United Nations on decolonization;

2. *Considers it important* to continue its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options for self-determination available to the peoples of Non-Self-Governing Territories;

3. *Requests* the Department of Political Affairs and the Department of Public Information to take into account the suggestions of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

(*a*) To continue to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of Non-Self-Governing Territories;

(*b*) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(*c*) To maintain a working relationship with the appropriate regional and intergovernmental organizations, particularly in the Pacific and Caribbean regions, by holding periodic consultations and exchanging information;

(*d*) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(*e*) To report to the Special Committee on measures taken in the implementation of the present resolution;

4. *Requests* all States, including the administering Powers, to continue to extend their cooperation in the dissemination of information referred to in paragraph 2 above;

5. *Requests* the Special Committee to follow the implementation of the present resolution and to report thereon to the General Assembly at its sixtieth session.

RESOLUTION 59/136

Adopted at the 71st plenary meeting, on 10 December 2004, on the recommendation of the Committee (A/59/478, para. 38),[148] by a recorded vote of 167 to 2, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Yemen, Zambia, Zimbabwe

Against: United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Belgium, France, Germany, Israel

59/136. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[149]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 58/111 of 9 December 2003, as well as the relevant resolutions of the Security Council,

Bearing in mind its resolution 55/146 of 8 December 2000, by which it declared the period 2001–2010 the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

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[148] The draft resolution recommended in the report was sponsored in the Committee by: Congo, Cuba, Mali, Papua New Guinea, Saint Lucia and Syrian Arab Republic.

[149] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23).

Recognizing that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2001,

Reconfirming the need to take measures to eliminate colonialism before 2010, as called for in its resolution 55/146,

Reiterating its conviction of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the participation of the administering Powers in the work of the Special Committee,

Noting with satisfaction the cooperation and active participation of some administering Powers in the work of the Special Committee, and encouraging the others also to do so,

Taking note of the fact that the Special Committee held a Pacific regional seminar on advancing the decolonization process in the Pacific region at Madang, Papua New Guinea, from 18 to 20 May 2004,[150]

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 55/146, by which it declared the period 2001–2010 the Second International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the peoples of the Non-Self-Governing Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[151]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with relevant resolutions of the United Nations on decolonization;

5. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 2004,[149] including the programme of work envisaged for 2005;

6. *Calls upon* the administering Powers to cooperate fully with the Special Committee to finalize before the end of 2005 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

7. *Welcomes* the progress made in the ongoing consultations between the Special Committee and New Zealand, as administering Power for Tokelau, with the participation of representatives of the people of Tokelau, as evidenced by the decision of the General Fono of Tokelau in November 2003 to actively explore with New Zealand the option of self-government in free association;

8. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism and the Second International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(*a*) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its sixtieth session;

(*b*) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(*c*) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(*d*) To finalize before the end of 2005 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

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[150] Ibid., chap. II, annex.

[151] Resolution 217 A (III).

(*e*) To continue to dispatch visiting missions to the Non-Self-Governing Territories in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(*f*) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(*g*) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(*h*) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;[152]

9. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

10. *Calls upon* the administering Powers to ensure that the economic activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

11. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, including land, and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

12. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

13. *Reaffirms* that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and calls upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories;

14. *Calls upon* the administering Powers that have not participated formally in the work of the Special Committee to do so at its session in 2005;

15. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

16. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

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[152] See resolution 54/91.

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RESOLUTION 59/214

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/479 and Corr.1, para. 27)[1]

59/214. Assistance to Mozambique

The General Assembly,

Recalling Security Council resolution 386 (1976) of 17 March 1976 and all relevant General Assembly resolutions, in which it urged the international community to respond effectively and generously to the call for assistance to Mozambique,

Reaffirming the principles for humanitarian assistance contained in the annex to its resolution 46/182 of 19 December 1991,

Recalling its resolutions 48/7 of 19 October 1993, 49/215 of 23 December 1994, 50/82 of 14 December 1995, 51/149 of 13 December 1996 and 52/173 of 18 December 1997 on assistance in mine action,

Recognizing that Mozambique is prone to natural disasters which can have a negative impact upon its development efforts,

Aware that, to prevent and manage natural disasters, strategies at the local, national and regional levels are required, in addition to international assistance,

Recognizing that the devastating impact of HIV/AIDS and other endemic diseases is undoing decades of economic and social development and contributing to food insecurity and the increased vulnerability of the population in Mozambique,

Recognizing also that the main responsibility for improving the humanitarian situation and creating conditions for long-term development lies with the Government of Mozambique, while bearing in mind the important role that the international community plays,

Recognizing further the efforts of the Government of Mozambique to promote peace and stability, democracy and national reconciliation as well as economic growth and socio-economic development, including the mainstreaming of internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[2] the Action Plan for the Reduction of Absolute Poverty (2001–2005) and national development plans,

Bearing in mind the Brussels Declaration[3] and the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[4] adopted by the Third United Nations Conference on the Least Developed Countries, held in Brussels from 14 to 20 May 2001, and the mutual commitments entered into on that occasion,

Noting with appreciation the mobilization and allocation of resources by States, relevant organizations of the United Nations system and intergovernmental and non-governmental organizations to assist national development efforts,

Having considered the reports of the Secretary-General on assistance to Mozambique,[5] and humanitarian assistance and rehabilitation for countries and regions,[6]

1. *Takes note* of the reports of the Secretary-General and the recommendations contained therein;[7]

2. *Commends* the Government of Mozambique for its efforts in the maintenance of peace, stability, economic growth and development and for the enhancement of democracy and the consolidation of national reconciliation in the country, and stresses the importance of further consolidation and enhancement of those efforts;

3. *Takes note* of the launching by the Government of Mozambique of the national contingency plan for natural disasters to improve disaster prevention, mitigation, preparedness and management, and invites the international community to support this initiative;

4. *Encourages* the Government of Mozambique to continue its efforts to fight HIV/AIDS, malaria and tuberculosis and to implement the Action Plan for the Reduction of Absolute Poverty (2001–2005) and national development plans, with a view to achieving internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[2] fighting absolute poverty, improving national capacity for education and governance, reducing the vulnerability of the population and promoting economic growth and sustainable development, and invites the international community to continue to support such efforts;

5. *Stresses* the importance of international assistance for the development programmes in Mozambique, and expresses

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[1] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Argentina, Australia, Austria, Benin, Bolivia, Botswana, Brazil, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, China, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Denmark, Djibouti, Egypt, Eritrea, Ethiopia, France, Gabon, Gambia, Germany, Guinea-Bissau, Guyana, Iceland, India, Ireland, Italy, Jamaica, Japan, Kenya, Lebanon, Lesotho, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritius, Morocco, Mozambique, Namibia, Netherlands, Niger, Nigeria, Norway, Portugal, Republic of Korea, Rwanda, Saint Kitts and Nevis, Saint Lucia, Sao Tome and Principe, Senegal, Seychelles, Somalia, South Africa, Spain, Sudan, Swaziland, Timor-Leste, Togo, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Zambia and Zimbabwe.

[2] See resolution 55/2.

[3] A/CONF.191/13, chap. I.

[4] Ibid., chap. II.

[5] A/59/86-E/2004/69.

[6] A/59/293.

[7] A/59/86-E/2004/69 and A/59/293.

its gratitude to the development partners that have supported the Government of Mozambique;

6. *Requests* the Secretary-General to make all necessary arrangements to continue to mobilize and coordinate, with a view to supporting the efforts of the Government of Mozambique:

(*a*) Humanitarian assistance from the specialized agencies, organizations and bodies of the United Nations system;

(*b*) International assistance for the national reconstruction and development of Mozambique;

7. *Also requests* the Secretary-General to report to it at its sixty-first session on the implementation of the present resolution.

RESOLUTION 59/215

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/479 and Corr.1, para. 27)[8]

59/215. Humanitarian and special economic assistance to Serbia and Montenegro

The General Assembly,

Recalling its resolution 46/182 of 19 December 1991, and reaffirming that humanitarian assistance should be provided in accordance with the guiding principles contained in the annex to that resolution,

Recalling also its resolutions 54/96 F of 15 December 1999, 55/169 of 14 December 2000, 56/101 of 14 December 2001 and 57/148 of 16 December 2002,

Deeply appreciative of the humanitarian assistance and the rehabilitation support rendered by a number of States, in particular major contributors, international agencies and organizations and non-governmental organizations to alleviate the humanitarian needs of the affected population in Serbia and Montenegro, in particular emergency assistance provided by the European Union and various countries,

Recognizing the role of the Stability Pact for South-Eastern Europe and the stabilization and association process for the western Balkans in assisting Serbia and Montenegro in its efforts in further promoting democratic and economic reforms and in intensifying regional cooperation,

Recognizing also the need to ensure the effective and smooth transition from humanitarian to development efforts in Serbia and Montenegro, including with respect to the humanitarian and rehabilitation needs of refugees and internally displaced persons, in particular the most vulnerable,

Aware of the weakness of the economy and basic services, which exacerbates further the situation of socially and economically vulnerable segments of the population, including refugees and internally displaced persons, and which is coupled with limited basic social services capacity, especially in the health sector,

Acknowledging that still a large number of refugees and internally displaced persons remain in Serbia and Montenegro and that assistance requirements will include local integration, whenever refugees and internally displaced persons are not willing to return to their places of origin,

Recognizing the role of the United Nations in helping Serbia and Montenegro to achieve a successful transition from humanitarian assistance to development assistance and in coordinating the efforts of the international community in that regard,

Acknowledging the support of the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and the Office for the Coordination of Humanitarian Affairs of the Secretariat to the Council of Ministers of Serbia and Montenegro in the implementation of the National Strategy for Resolving Problems of Refugees and Internally Displaced Persons in Serbia and Montenegro, as well as international support for the development of a Roma integration and empowerment strategy and poverty reduction strategies in Serbia and Montenegro and the adoption of a poverty reduction strategy paper,

Recognizing a continued decrease in humanitarian assistance in 2004, in line with an understanding that, as stressed in the report of the Secretary-General,[9] the country was no longer in a humanitarian crisis situation but had moved towards stabilization and economic development,

Recognizing also the importance of the rule of law, good governance, a vibrant private sector, as well as effective social sectors, including education and health, to achieve sustainable development,

Taking note of the report of the Secretary-General,[9]

1. *Calls upon* all States, regional organizations, intergovernmental and non-governmental organizations and other relevant bodies to continue to provide assistance to alleviate the

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[8] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Morocco, Netherlands, Nicaragua, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia and Montenegro, Slovakia, Slovenia, Spain, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of).

[9] A/59/293.

needs of refugees and internally displaced persons, bearing in mind in particular the special situation of women, children, the elderly and other vulnerable groups, and to assist financially and otherwise in seeking durable solutions for a safe return of refugees and internally displaced persons to their places of origin, or for settlement at their place of refuge for those who want to integrate locally, in cooperation with the local authorities, with a successive transition to development projects aimed at durable solutions to those questions;

2. *Encourages* the Council of Ministers of Serbia and Montenegro in its efforts to ensure a smooth transition from relief to long-term development, and calls upon all States, regional organizations, intergovernmental and non-governmental organizations and other relevant bodies to offer support for those efforts;

3. *Welcomes* the adoption of the United Nations Development Assistance Framework for Serbia and Montenegro as a strategic document for the operational activities of the United Nations system in Serbia and Montenegro and as a basis for the entire development assistance programme in the period 2005–2009 and the adoption of the United Nations Development Programme country programme outline for Serbia and Montenegro for the period 2005–2009 and the United Nations Children's Fund country programme document for Serbia and Montenegro for the period 2005–2009, and calls upon all States, regional organizations, intergovernmental and non-governmental organizations and other relevant bodies to support their implementation;

4. *Recognizes* that the main responsibility for improving the humanitarian situation and creating conditions for long-term development lies with the Council of Ministers of Serbia and Montenegro, while bearing in mind the important role played by the international community;

5. *Welcomes* the continued commitment of Serbia and Montenegro and encourages it to cooperate further with the United Nations system as well as development and humanitarian organizations to address the needs of the affected population, including refugees and internally displaced persons, and urges the relevant authorities and the international community to support and stimulate development assistance for the implementation of the National Strategy for Resolving Problems of Refugees and Internally Displaced Persons, national strategies for poverty reduction and other programmes that will ensure that the needs of the vulnerable refugees and internally displaced persons in Serbia and Montenegro are met and to pursue durable solutions to their plight, in particular voluntary repatriation and reintegration, stresses the need to create conditions that are conducive to their safe return, and emphasizes in this regard the importance of regional cooperation in the search for solutions to the plight of refugees;

6. *Urges* the relevant government authorities in Serbia and Montenegro to develop, with the assistance of the United Nations system, national policies for comprehensive durable solutions for internally displaced persons based on the Guiding Principles on Internal Displacement,[10] and in that regard invites the United Nations Interim Administration Mission in Kosovo to strengthen its efforts, within its mandate, in coordination with relevant government authorities in Serbia and Montenegro, for the establishment of the necessary conditions for the safe and sustainable return of internally displaced persons;

7. *Calls upon* the Secretary-General, as well as development agencies, to continue to mobilize the timely provision of international development assistance to Serbia and Montenegro, and welcomes efforts by Serbia and Montenegro to improve governance and institutional capabilities in order to use aid more effectively;

8. *Emphasizes* the importance of the increased donor coordination of assistance to Serbia and Montenegro, inter alia, through the mechanism of the United Nations resident coordinator system;

9. *Urges* development partners to assist in capacity-building, institution-building and local employment generation in their programmes and to train and employ local staff to the maximum extent possible, welcomes work by Serbia and Montenegro to create an enabling environment for its private sector, including the development of a financial sector that provides services, inter alia, to microenterprises and to small and medium-sized enterprises and to their households, and encourages continued work on regulatory reform, transparency, accountability, good governance and the rule of law, all of which support sustainable development;

10. *Also urges* Serbia and Montenegro and its development partners to support and strengthen initiatives that contribute to the enhancement of social capital in areas such as health and education, emphasizing, inter alia, the development of capacity to improve the quality of and access to health care and education;

11. *Requests* the United Nations and the specialized agencies to continue their efforts to assess needs, in cooperation with the Council of Ministers of Serbia and Montenegro, relevant international and regional organizations and bodies and interested States, with a view to ensuring an effective and smooth transition from relief to longer-term development assistance to Serbia and Montenegro, taking into account the work already carried out in this field and the need to avoid duplication and the overlapping of efforts;

12. *Requests* the Secretary-General, bearing in mind the recommendation contained in his report,[9] to submit to it at its sixty-first session, under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", a final report on the implementation of the present resolution.

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[10] E/CN.4/1998/53/Add.2, annex.

RESOLUTION 59/216

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/479 and Corr.1, para. 27)[11]

59/216. International assistance for the economic rehabilitation of Angola

The General Assembly,

Recalling all its previous resolutions in which it called upon the international community to continue to render material, technical and financial assistance for the economic rehabilitation of Angola, including resolution 57/102, adopted by consensus on 25 November 2002,

Recalling also that the Security Council, in resolution 922 (1994) of 31 May 1994 and in subsequent resolutions adopted as from 2001, the President of the Security Council, in statements on Angola, and the General Assembly, in all of its resolutions on international assistance for the economic rehabilitation of Angola, have, inter alia, called upon the international community to provide economic assistance to Angola,

Bearing in mind that the main responsibility for improving the humanitarian situation and creating the conditions for long-term development and poverty reduction in Angola lies with the Government of Angola, together with, where appropriate, the participation of the international community,

Noting the importance of international engagement for the consolidation of peace in Angola,

Noting with concern that, although there are unprecedented opportunities to tackle the country's problems and achieve international and national development goals, recovery will take years as the war has had a devastating economic and social impact,

Recognizing that there is a clear relationship between emergency relief and rehabilitation and development and that in order to ensure a smooth transition from relief to rehabilitation and development, emergency assistance should be provided in ways supportive of recovery and long-term development,

Concerned about the need to mobilize adequate financial resources for emergency humanitarian assistance at all levels,

Welcoming the efforts made by the Government of Angola to improve governance, transparency and institutional capabilities and to use aid more effectively, in cooperation with the United Nations system, and encouraging continued efforts in this regard,

Noting with satisfaction the successful implementation of and effective compliance with the provisions of the Lusaka Protocol,[12]

Taking into account the initiatives taken by the Government of Angola to allocate the human, material and financial resources to improve the social and economic situation of the population and to address the humanitarian situation, and stressing the need to allocate more means towards reconstruction, rehabilitation and social and economic stabilization, with the cooperation of the international community,

Recognizing the urgent need to address as well as to increase national efforts and international support for the resettlement and reintegration of internally displaced persons as well as for the return of refugees and vulnerable groups and for their care in all parts of Angola,

Recognizing also the urgent need to address as well as to increase national efforts and international support for mine-action activities in order to enable the country to tackle the social, economic and humanitarian crises,

Noting that an economically revived and democratic Angola will contribute to regional stability,

Recalling the first Round-Table Conference of Donors, held in Brussels from 25 to 27 September 1995,

Welcoming the efforts made by donors and United Nations agencies, funds and programmes to provide humanitarian, economic and financial assistance to Angola,

1. *Takes note* of the report of the Secretary-General;[13]

2. *Welcomes* the successful implementation of the Memorandum of Understanding additional to the Lusaka Protocol,[14] which ended hostilities in the country and created unprecedented conditions for the re-establishment and consolidation of peace in Angola;

3. *Recognizes* the efforts undertaken by the Government of Angola, with the support of the international community, to facilitate the delivery of humanitarian assistance and to continue to work towards ensuring the maintenance of the peace and national security so necessary for the reconstruction, rehabilitation and economic stabilization of the country, and in this context encourages the Government, with the support of the international community, to continue its

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[11] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Andorra, Angola, Argentina, Austria, Barbados, Belarus, Belize, Benin, Botswana, Brazil, Burkina Faso, Cameroon, Canada, Cape Verde, China, Congo, Costa Rica, Côte d'Ivoire, Cuba, Denmark, Egypt, Ethiopia, France, Gabon, Ghana, Greece, Guinea-Bissau, Guyana, India, Ireland, Italy, Jamaica, Japan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Malaysia, Mali, Mauritius, Mexico, Mozambique, Namibia, Netherlands, Nigeria, Norway, Philippines, Portugal, Senegal, Serbia and Montenegro, Somalia, South Africa, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tunisia, Turkmenistan, Uganda, United Republic of Tanzania, Vanuatu, Zambia and Zimbabwe.

[12] S/1994/1441, annex.

[13] A/59/293.

[14] See S/2002/483, annex.

efforts, including the increase of budgetary allocations to the development sectors, for poverty reduction and the achievement of sustained economic growth and sustainable development;

4. *Welcomes* the adoption by the Government of Angola of the poverty reduction strategy paper, and in this regard calls upon the Government of Angola, the World Bank and the international community to remain engaged, with a view to its early endorsement by the World Bank and the Board of the International Monetary Fund, as well as the continued support of the international community to the efforts of the Government of Angola for its implementation;

5. *Recognizes* the primary responsibility of the Government of Angola for the welfare of all its citizens, including returning refugees and internally displaced persons, and calls upon Member States, in particular the donor community, including through South-South cooperation and triangular cooperation, to continue to support the remaining humanitarian needs in Angola and to assist with the return and resettlement of refugees and internally displaced persons;

6. *Welcomes* the approval of the National Law and Strategic Plan to Fight against HIV/AIDS, which aims to strengthen national coordination among governmental, civil society and international partners, encourages continued international support to assist in implementing concrete actions to help meet the goals laid out in the Declaration of Commitment on HIV/AIDS,[15] and in this regard notes with satisfaction the successful conclusion of the first national seroprevalence survey by the Government of Angola with the support of the international community;

7. *Requests* all national and international, regional and subregional financial institutions to provide their support to the Government of Angola in its efforts to alleviate poverty, consolidate peace and democracy and contribute to economic stability throughout the country and to implement successfully the economic development programmes and strategies;

8. *Welcomes* the continued commitment of the Government of Angola to improve governance, transparency and accountability in the management of public resources, including natural resources, encourages the Government of Angola to continue its efforts to that end, calls upon international organizations and others in a position to do so to assist the Government of Angola in this endeavour, including through the promotion of responsible business practices, and welcomes in this regard the decision of Angola to accede to the African Peer Review Mechanism;

9. *Recognizes* the progress towards the adoption of a programme to be monitored by the International Monetary Fund, and encourages the Government and the International Monetary Fund to continue to negotiate actively with a view to reaching an early agreement;

10. *Welcomes* the commitment of the Government of Angola to the strengthening of its democratic institutions, takes note in this regard of the efforts undertaken by the Government of Angola to hold elections in 2006, looks forward to the early adoption by the National Assembly of a timetable to prepare such elections, and calls upon Members States, international, regional and subregional organizations to provide financial and technical support in this regard;

11. *Requests* the Government of Angola and the United Nations, and invites the international financial institutions, to take all necessary steps for the preparation and successful organization of an international donors conference for long-term development and reconstruction, including special economic assistance;

12. *Expresses its appreciation* to the international community, the United Nations system, funds and programmes, and the governmental and non-governmental organizations that are participating in humanitarian assistance programmes in Angola, including mine-action activities, and appeals for their continued contribution to humanitarian mine-action activities in a manner complementary to that of the Government;

13. *Expresses its gratitude* to donors and United Nations agencies, funds and programmes for the assistance provided to Angola in support of initiatives and programmes for the alleviation of the humanitarian crisis and poverty eradication;

14. *Requests* the Secretary-General to submit to the General Assembly, at its sixty-first session, a report on the implementation of the present resolution.

RESOLUTION 59/217

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/479 and Corr.1, para. 27)[16]

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[15] Resolution S-26/2, annex.

[16] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Argentina, Armenia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Bhutan, Bolivia, Botswana, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Finland, France, Gabon, Gambia, Germany, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Poland, Portugal, Republic of Korea, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Somalia, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Yemen, Zambia and Zimbabwe.

59/217. Humanitarian assistance and rehabilitation for Ethiopia

The General Assembly,

Recalling its resolution 58/24 of 5 December 2003 on emergency humanitarian assistance to Ethiopia,

Recalling also the initiatives of the Secretary-General to improve food security, including the appointment of the Special Envoy for the Humanitarian Crisis in the Horn of Africa,

Concerned by the recurrent drought, which still affects millions owing to the serious crop failures in drought-prone parts of the country and the pastoralist areas that have weak infrastructures and low development capacities,

Bearing in mind the joint 2005 appeal of the United Nations and the Government of Ethiopia for emergency assistance for Ethiopia, to respond to the food and non-food requirements of households in need so as to prevent the worsening of the current humanitarian crisis,

Noting with serious concern the significant and persistent humanitarian needs in such areas as health, water and acute malnutrition that still exist in parts of the country,

Also noting with serious concern the dire humanitarian situation and its long-term socio-economic and environmental impacts,

Recognizing that the persistent problem of food insecurity is linked to inadequate progress in achieving and sustaining rural growth at levels required to build the household and community assets needed to manage through the various shocks that induce food crises,

Emphasizing the need to address the crisis, bearing in mind the importance of the transition from relief to development, and acknowledging the underlying structural causes of recurrent drought in Ethiopia,

Recognizing that the main responsibility for improving the humanitarian situation and creating conditions for long-term development lies with the Government of Ethiopia, while bearing in mind the important role played by the international community,

Emphasizing the importance of establishing a strong early warning system for both food and non-food needs in order to predict better and respond as early as possible to disasters and to minimize their consequences,

1. *Takes note* of the report of the Secretary-General;[17]

2. *Welcomes* the coordinated and collaborative efforts of the Government of Ethiopia, agencies, funds and programmes of the United Nations system, the donor community, non-governmental organizations and other entities for their timely and generous response to the joint 2004 appeal;

3. *Calls upon* the international community to respond in a timely manner to the joint 2005 appeal of the United Nations and the Government of Ethiopia for emergency assistance for Ethiopia, covering food and non-food needs;

4. *Welcomes* the efforts of the Government of Ethiopia, the international community and civil society, including non-governmental organizations, to strengthen mechanisms already in place to respond to such emergency situations, appreciates their endeavours to increase the availability of food through the procurement of local produce and to ensure access of households in need to food, health and water facilities, sanitation, seeds and veterinary services, and strongly encourages the Government of Ethiopia to continue such efforts;

5. *Stresses* the need to address the underlying causes of food insecurity, and issues of recovery, asset protection and the sustainable development of the affected areas, welcomes in this regard the programme prepared by the Coalition for Food Security in Ethiopia, and encourages the international community to support the Coalition in realizing its main objective, namely, breaking the cycle of food aid dependency within the next three to five years, thereby enabling fifteen million vulnerable people to engage in sustainable productive activities;

6. *Welcomes* the Group of Eight action plan on ending the cycle of famine in the Horn of Africa, and looks forward to its full implementation;

7. *Encourages* the Government of Ethiopia to continue to strengthen its efforts to address the underlying structural causes of recurrent threats of drought as part of its overall economic development programme;

8. *Calls upon* all development partners, in cooperation with the Government of Ethiopia, to integrate relief efforts with recovery, asset protection and long-term development, including the structural and productive options needed to stimulate accelerated rural growth, and to address the underlying causes of recurrent drought in Ethiopia in a way that is, inter alia, in line with the poverty reduction strategy paper, including strategies that are aimed at preventing such crises in the future and that improve the resilience of the population;

9. *Welcomes* the initiative taken by the Secretary-General in appointing a Special Envoy for the Humanitarian Crisis in the Horn of Africa, with the objective of mobilizing resources to address the root causes of food insecurity as well as the sustainable development of the affected areas;

10. *Invites* the Office for the Coordination of Humanitarian Affairs of the Secretariat to continue its efforts to coordinate and develop a strategic response to recurrent humanitarian needs in Ethiopia and to consider ways to enhance the mobilization of emergency relief assistance to cover the remaining humanitarian needs in Ethiopia;

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[17] A/59/293.

11. *Takes note* of the report on evaluation of the response to the 2002–2003 emergency in Ethiopia prepared jointly by the Government of Ethiopia and humanitarian partners, and urges the Government of Ethiopia, donors and all other stakeholders to implement its recommendations;

12. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/218

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/479 and Corr.1, para. 27)[18]

59/218. Assistance for humanitarian relief and the economic and social rehabilitation of Somalia

The General Assembly,

Recalling its resolution 47/160 of 18 December 1992 and subsequent relevant resolutions, in particular resolutions 56/106 of 14 December 2001, 57/154 of 16 December 2002 and 58/115 of 17 December 2003,

Noting with serious concern that the current drought in some parts of Somalia threatens the lives of Somali nomads as well as livestock,

Noting with grave concern the high mortality rate of over 80 per cent of livestock in the worst-affected areas of the Sool, Sanaag and Togdheer plateaux of Somalia and the high risk of starvation of Somali nomads,

Noting with serious concern the threat, as a result of this drought, of a serious negative impact on the Somali economy, and in particular on the pastoral economy and social support systems,

Underlining the urgent need for humanitarian assistance, relief and reconstruction,

Noting the linkage between the search for peace and reconciliation and the alleviation of the humanitarian crisis in Somalia,

Welcoming the continued focus of the United Nations, in partnership with civil society at the grass-roots level, on programmes of assistance, including both humanitarian and development approaches, taking into consideration the conditions on the ground,

Recalling the statements by the President of the Security Council of 31 October 2001[19] and 28 March 2002,[20] by which the Council condemned attacks on humanitarian personnel and called upon all parties in Somalia to respect fully the security and safety of personnel of the United Nations, the International Committee of the Red Cross and non-governmental organizations, and to guarantee their complete freedom of movement and access throughout Somalia,

Re-emphasizing the importance of the further implementation of its resolutions 47/160, 56/106, 57/154 and 58/115 to rehabilitate basic social and economic services throughout the country,

Taking note of the reports of the Secretary-General,[21]

1. *Expresses its appreciation* to the Secretary-General for his continued and tireless efforts to mobilize assistance for the Somali people;

2. *Welcomes with great satisfaction* the progress made in the last two years of the reconciliation process in Kenya, in particular the elections of the Somali Transitional Federal Parliament, the Speaker of Parliament and the President, the appointment of the Prime Minister and the formation of the Cabinet, and urges all Somali parties and States members of the Intergovernmental Authority on Development to fully support the new Transitional Federal Government of Somalia;

3. *Expresses the need* for continued engagement and commitment to a structured support, based on joint principles and structures of coordination and monitoring, as endorsed in Stockholm on 29 October 2004, to be agreed upon with the future transitional national federal institutions;

4. *Welcomes* the strategy of the United Nations focusing on the implementation of community-based interventions aimed at rebuilding local infrastructures and increased self-reliance of the local population, and the ongoing efforts by the United Nations agencies, their Somali counterparts and their partner organizations to establish and maintain close coordination and cooperation mechanisms for the implementation of the relief, rehabilitation and reconstruction programme in line with the priorities of the new Transitional Federal Government;

5. *Notes* the incremental and prioritized approach of the United Nations system to addressing the continuing crisis and

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[18] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Azerbaijan, Bahrain, Burkina Faso, Cameroon, China, Colombia, Côte d'Ivoire, Djibouti, Egypt, Eritrea, Ethiopia, France, Gambia, Germany, Greece, Guinea-Bissau, Iceland, India, Ireland, Italy, Jamaica, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Morocco, Mozambique, Netherlands, Niger, Portugal, Qatar, Saudi Arabia, Somalia, South Africa, Sudan, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, United Arab Emirates, Yemen and Zambia.

[19] S/PRST/2001/30; see *Resolutions and Decisions of the Security Council, 1 January 2001–31 July 2002*.

[20] S/PRST/2002/8; see *Resolutions and Decisions of the Security Council, 1 January 2001–31 July 2002*.

[21] A/58/133, S/2003/231, S/2003/636, S/2003/987, S/2004/115 and Corr.1 and S/2004/469.

needs in Somalia while maintaining long-term commitments to rehabilitation, recovery and development activities;

6. *Commends* the Office for the Coordination of Humanitarian Affairs of the Secretariat, the funds and programmes of the United Nations as well as other humanitarian organizations for their response, and underlines the urgent need for putting into place practical measures aimed at the alleviation of the consequences of the drought in the most affected areas in Somalia;

7. *Urges* all States and intergovernmental and non-governmental organizations concerned to continue to implement further its resolutions 47/160, 56/106, 57/154 and 58/115 in order to assist the Somali people in embarking on the rehabilitation of basic social and economic services, as well as institution-building aimed at the restoration of structures of civil governance at all levels in all parts of the country wherever possible;

8. *Calls upon* the Secretary-General to continue to mobilize international humanitarian, rehabilitation and reconstruction assistance for Somalia;

9. *Calls upon* all Somali parties to respect the security and safety of the personnel of the United Nations, the specialized agencies and non-governmental organizations and to guarantee their complete freedom of movement and safe access throughout Somalia;

10. *Urges* the international community to provide:

(*a*) Political support to the new Transitional Federal Government;

(*b*) Significant financial and technical support for the rehabilitation and reconstruction of Somalia;

(*c*) Full support to the need for peacebuilding measures and the speedy implementation of programmes for the disarmament, demobilization and reintegration of militias throughout Somalia in order to stabilize the entire country and thereby ensure the effectiveness of the new Transitional Federal Government;

11. *Urges* the Transitional Federal Government, in coordination with the Intergovernmental Authority on Development and the African Union, to develop a strategy and timetable outlining its functional priorities;

12. *Urges* the international community to provide as a matter of urgency humanitarian assistance and relief to the Somali people to alleviate in particular the consequences of the prevailing drought;

13. *Calls upon* the international community to provide continuing and increased assistance in response to the United Nations 2004 Consolidated Inter-Agency Appeal for relief, rehabilitation and reconstruction assistance for Somalia;

14. *Commends* the Secretary-General for the establishment of the Trust Fund for Peacebuilding in Somalia, welcomes the contributions made thus far to the Fund, and appeals to Member States to contribute to it;

15. *Requests* the Secretary-General, in view of the critical situation in Somalia, to take all necessary and practicable measures for the implementation of the present resolution and to report thereon to the General Assembly at its sixtieth session.

RESOLUTION 59/219

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/479 and Corr.1, para. 27)[22]

59/219. Assistance for the rehabilitation and reconstruction of Liberia

The General Assembly,

Recalling its resolutions 45/232 of 21 December 1990, 46/147 of 17 December 1991, 47/154 of 18 December 1992, 48/197 of 21 December 1993, 49/21 E of 20 December 1994, 50/58 A of 12 December 1995, 51/30 B of 5 December 1996, 52/169 E of 16 December 1997, 53/1 I of 16 November 1998, 55/176 of 19 December 2000 and 57/151 of 16 December 2002,

Having considered the report of the Secretary-General,[23]

Commending the Economic Community of West African States and the International Contact Group on Liberia for facilitating the signing of the Comprehensive Peace Agreement in Accra on 18 August 2003,[24] which, inter alia, provided for the formation of the National Transitional Government of Liberia and the holding of democratic elections in October 2005, and for continuing their collaborative efforts with the transitional authority in peacebuilding and security in Liberia,

Welcoming the establishment of the United Nations Mission in Liberia in accordance with Security Council resolution 1509 (2003) of 19 September 2003, whereby an enabling environment for the restoration of peace and stability in the country was created,

Also welcoming the formal completion of the disarmament and demobilization operations of the Mission on

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[22] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Belgium, Burkina Faso, Cameroon, China, Côte d'Ivoire, Democratic Republic of the Congo, Denmark, Egypt, Ethiopia, France, Gambia, Germany, Ghana, Guinea, Guinea-Bissau, Iceland, Ireland, Italy, Jamaica, Japan, Lebanon, Lesotho, Liberia, Luxembourg, Mali, Mozambique, Namibia, Netherlands, Niger, Nigeria, Norway, Pakistan, Portugal, Senegal, Sierra Leone, Somalia, South Africa, Sudan, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America.

[23] A/59/293.

[24] See S/2003/850.

31 October 2004 and the subsequent official dissolution of factions on 3 November 2004,

Considering that the holding of free and fair presidential and general elections in October 2005 is a vital undertaking for ensuring national unity, peacebuilding and reconstruction,

Deeply concerned about the recent violence in the city of Monrovia and its environs, which poses a serious threat to the peace process,

Recognizing the importance of a thriving private sector, employment generation, good governance and the rule of law to sustainable economic growth,

1. *Expresses its gratitude* to the Economic Community of West African States, the African Union, donor countries, specialized agencies of the United Nations system and non-governmental organizations for their valuable support in the provision of humanitarian assistance and their adoption of a comprehensive approach to peacebuilding in Liberia and the subregion;

2. *Also expresses its gratitude* to all donor countries, specialized agencies of the United Nations system and governmental and non-governmental organizations for their participation in the International Reconstruction Conference on Liberia, held at United Nations Headquarters in New York on 5 and 6 February 2004, at which the National Transitional Government presented the results-focused transition framework, and urges those who have not yet honoured their pledges and commitments to do so;

3. *Calls upon* all signatories to the Comprehensive Peace Agreement of 18 August 2003[24] to uphold the spirit and letter of its provisions, to seek to promote socio-economic development and a culture of sustained peace in the country, including a commitment to the rule of law, national reconciliation and human rights and to refrain from actions that may jeopardize the work of the National Transitional Government;

4. *Invites* all States and intergovernmental and non-governmental organizations to provide assistance to Liberia to facilitate the creation of an enabling environment for the promotion of peace, socio-economic development and regional security, including by emphasizing capacity-building, institution-building and employment generation in their work and ensuring that such work complements and contributes to the development of an economy characterized by an investment climate conducive to entrepreneurship, good governance and the rule of law;

5. *Urges* the National Transitional Government to create an environment conducive to the promotion of socio-economic development, peace and security in the country, including a commitment to upholding the rule of law, national reconciliation and human rights, establishing inclusive processes that will ensure free and fair presidential and general elections in October 2005 with maximum participation of the citizenry, as well as a commitment to ensuring transparency in the management of government expenditures and donor funds;

6. *Invites* the international community to provide financial and technical assistance to the National Transitional Government to facilitate free and fair presidential and general elections in October 2005;

7. *Urges* the National Transitional Government and all States to facilitate and support the return and reintegration of ex-combatants into their home communities, with special attention to children;

8. *Commends* the Secretary-General for his continuing efforts to mobilize international assistance for the development and reconstruction of Liberia, and requests him to continue his efforts to mobilize all possible assistance within the United Nations system to help in the reconstruction and development of Liberia and in the return and reintegration of refugees, displaced persons and demobilized soldiers;

9. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the implementation of the present resolution;

10. *Decides* to consider at its sixty-first session the question of international assistance for the rehabilitation and reconstruction of Liberia.

RESOLUTION 59/220

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/480, para. 12)[25]

59/220. World Summit on the Information Society

The General Assembly,

Recalling its resolutions 56/183 of 21 December 2001 and 57/238 of 20 December 2002,

Reaffirming the potential of information and communication technologies as powerful tools to foster socio-economic development and contribute to the realization of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[26]

1. *Expresses its gratitude* to the Government of Switzerland for having hosted the first phase of the World Summit on the Information Society in Geneva from 10 to 12 December 2003 and for the support and arrangements put at the disposal of the Summit;

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[25] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[26] See resolution 55/2.

2. *Renews with gratitude its acknowledgement* of the generous offer of the Government of Tunisia to host the second phase of the Summit, which will take place in Tunis from 16 to 18 November 2005;

3. *Takes note* of the note by the Secretary-General transmitting the report of the Secretary-General of the International Telecommunication Union on the first phase and progress in the preparations for the second phase of the World Summit on the Information Society;[27]

4. *Endorses* the Declaration of Principles and the Plan of Action adopted by the Summit on 12 December 2003,[28] and welcomes, in this regard, the strong development orientation of both documents, encourages developing and developed countries in partnership to continue to identify how information technologies can further contribute to achieving the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[26] and stresses the importance of the effective and timely implementation of the Plan of Action;

5. *Welcomes* the contribution of Member States, relevant United Nations bodies, including the Information and Communication Technologies Task Force, and other intergovernmental organizations, non-governmental organizations, civil society and the private sector to the success of the Geneva phase of the Summit;

6. *Urges* Member States, relevant United Nations bodies, including the Information and Communication Technologies Task Force, and other intergovernmental organizations, non-governmental organizations, civil society and the private sector to contribute actively to the implementation of the outcome of the Geneva phase and to the preparatory process of the Tunis phase of the Summit as well as to the Summit itself in order to ensure its overall success;

7. *Takes note* of the results and decisions of the first meeting of the Preparatory Committee, held in Hammamet, Tunisia, from 24 to 26 June 2004, concerning the structure and output of the second phase of the Summit;

8. *Welcomes* the establishment of the Working Group on Internet Governance and the Task Force on Financial Mechanisms, set up in accordance with the decisions of the first phase of the Summit;

9. *Invites* countries to be represented at the highest possible political level at the second phase of the Summit, to be held in Tunis in 2005;

10. *Reiterates its call* to the international community to make voluntary contributions to the special fund established by the International Telecommunication Union to support the preparations for and holding of the Summit;

11. *Invites* the Secretary-General of the International Telecommunication Union to transmit to the General Assembly, as soon as it is available, the report of the World Summit on the Information Society.

RESOLUTION 59/221

Adopted at the 75th plenary meeting, on 22 December 2004, on the recommendation of the Committee (A/59/481/Add.1, para. 9),[29] by a recorded vote of 166 to 2, with 6 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Palau, United States of America

Abstaining: Australia, Canada, Israel, Japan, New Zealand, Republic of Korea

59/221. International trade and development

The General Assembly,

Recalling its resolutions 56/178 of 21 December 2001, 57/235 of 20 December 2002 and 58/197 of 23 December 2003 on international trade and development,

Recalling also the provisions of the United Nations Millennium Declaration[30] pertaining to trade and related development issues, as well as the outcomes of the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002[31] and the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002,[32]

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[27] A/59/80-E/2004/61 and Corr.1.

[28] See A/C.2/59/3.

[29] The draft resolution recommended in the report was submitted by Switzerland.

[30] See resolution 55/2.

Noting the Ministerial Declaration and decisions adopted at the Fourth Ministerial Conference of the World Trade Organization, held in Doha from 9 to 14 November 2001,[33] and the full commitment of all members of the World Trade Organization to give effect to them, in accordance with the decision of 1 August 2004 of the General Council of the World Trade Organization,[34]

Reaffirming the role of the United Nations Conference on Trade and Development as focal point within the United Nations for the integrated treatment of trade and development and the interrelated issues in the areas of finance, technology, investment and sustainable development,

Recalling its resolutions 57/250 of 20 December 2002 and 57/270 B of 23 June 2003, in which it invited the United Nations Conference on Trade and Development, as well as the Trade and Development Board, to contribute, within its mandate, to the implementation and to the review of the progress made in the implementation of the outcomes of the major United Nations conferences and summits and invited the President of the Trade and Development Board to present the outcomes of such reviews to the Economic and Social Council,

Recalling also that, to benefit fully from trade, which in many cases is the single most important external source of development financing, the establishment and the enhancement of appropriate institutions and policies in developing countries, as well as in countries with economies in transition, are needed and that, in this context, enhanced market access, balanced rules and well-targeted, sustainably financed technical assistance and capacity-building programmes for developing countries also play an important role,

Noting the significant contribution of the multilateral trading system to economic growth, development and employment and the importance of maintaining the process of reform and liberalization of trade policies, as well as the importance of rejecting the use of protectionism, so that the system plays its full part in promoting recovery, growth and development, in particular of developing countries, bearing in mind paragraph 10 of General Assembly resolution 55/182 of 20 December 2000,

Reaffirming that agriculture remains a key sector for the overwhelming majority of developing countries, and stressing the importance of the successful conclusion of the World Trade Organization Doha work programme[33] in accordance with the decision of 1 August 2004 of the General Council of the World Trade Organization,

Reaffirming also the urgency, subject to national legislation, of recognizing the rights of local and indigenous communities that are holders of traditional knowledge, innovations and practices and, with the approval and involvement of the holders of such knowledge, innovations and practices, of developing and implementing benefit-sharing mechanisms on mutually agreed terms for the use of such knowledge, innovations and practices,

Recalling that it is particularly important for developing countries, bearing in mind development goals and objectives, that all countries take into account the need for an appropriate balance between national policy space and international disciplines and commitments,

Bearing in mind the special needs of the least developed countries, the small island developing States and the landlocked developing countries, as identified, respectively, in the Brussels Programme of Action[35] and the Barbados Programme of Action[36] and within a new global framework for transit transport cooperation for landlocked and transit developing countries as set out in the Almaty Programme of Action,[37]

Noting with concern that a number of developing countries, in particular the least developed countries and commodity-dependent developing countries, have not fully benefited from the global economy and trade liberalization,

Recognizing that countries must take appropriate and necessary security measures, but also underlining the importance of taking these measures in the manner that is least disruptive of normal trade and related practices,

Taking note of the review undertaken by the Trade and Development Board at its fifty-first session[38] of developments and issues in the post-Doha work programme of particular concern to developing countries following the eleventh session of the United Nations Conference on Trade and Development, and its contribution to an understanding of the actions required to help developing countries integrate, in a beneficial and meaningful manner, into the multilateral trading system and the global economy and to achieve a balanced, development-oriented and successful conclusion of the Doha negotiations,

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[31] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[32] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex, and resolution 2, annex.

[33] A/C.2/56/7, annex.

[34] World Trade Organization, document WT/L/579. Available from http://docsonline.wto.org.

[35] A/CONF.191/13, chap. II.

[36] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex II.

[37] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

[38] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 15* (A/59/15), part five, chap. II.C.

Taking note also of the report of the Trade and Development Board[39] and the report of the Secretary-General,[40]

1. *Recognizes* that a universal, rule-based, open, non-discriminatory and equitable multilateral trading system, as well as meaningful trade liberalization, can substantially stimulate development worldwide, benefiting countries at all stages of development, thereby promoting economic growth and sustainable development necessary to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[30]

2. *Reaffirms* the value of multilateralism to the global trading system, and in this regard welcomes the progress achieved in the Doha work programme,[33] with the adoption by the General Council of the World Trade Organization of its decision of 1 August 2004[34] on frameworks for further negotiations, which re-energizes the Doha round of the multilateral trade negotiations and recommits the members of the World Trade Organization to fulfilling the development dimension of the Doha work programme;

3. *Welcomes* the eleventh session of the United Nations Conference on Trade and Development, held in São Paulo, Brazil, from 13 to 18 June 2004, and the adoption of The Spirit of São Paulo[41] and the São Paulo Consensus,[42] which, building upon the Plan of Action adopted at its tenth session, held in Bangkok from 12 to 19 February 2000,[43] reaffirm the continued commitment of the international community to supporting the United Nations Conference on Trade and Development in fulfilling its mandate in consensus-building, research and policy analysis, and in technical assistance on trade and development;

4. *Welcomes also* the commitment made at the Fourth Ministerial Conference of the World Trade Organization, held in Doha from 9 to 14 November 2001, and in the decision of 1 August 2004 of the General Council of the World Trade Organization, to place development at the heart of the Doha work programme and to continue to make positive efforts to ensure that developing countries, especially the least developed among them, secure a share in the growth of world trade commensurate with the needs of their economic development;

5. *Reaffirms* that all countries have a shared interest in the success of the Doha work programme, which aims both at further increasing trading opportunities and reducing barriers to trade among nations and at making the trading system more development-friendly, which would contribute to the objective of upholding and safeguarding an open, equitable, rule-based, predictable and non-discriminatory multilateral trading system, and recalls that a major contribution of the Doha Ministerial Declaration[33] was to place the needs and interests of developing countries at the heart of the Doha work programme and that this important objective needs to be pursued with a view to bringing about concrete development-oriented outcomes from the multilateral trade negotiations;

6. *Looks forward* to the early development of the frameworks outlined in the decision of 1 August 2004 of the General Council of the World Trade Organization, in an inclusive and transparent manner, into concrete, detailed and specific modalities for the early and successful conclusion of the negotiations, while ensuring balance and parallel progress within and between areas under negotiation bearing in mind the needs and concerns of developing countries, and ensuring a fair and development-oriented outcome of the Doha work programme based on a broad agenda, including enhanced market access, balanced rules and well-targeted, sustainably financed technical assistance and capacity-building programmes;

7. *Recognizes*, in regard to the decision of 1 August 2004 of the General Council of the World Trade Organization and consistent with the Doha work programme, the following issues of particular interest and concern to developing countries:

(*a*) Reviewing special and differential treatment provisions with a view to making them more precise, effective and operational and, in this regard, expeditiously completing the review of the outstanding agreement-specific proposals and cross-cutting issues, and finding appropriate solutions to outstanding implementation issues, by July 2005, as provided for in paragraph 1 (*d*) of the decision;

(*b*) The elaboration of modalities under the framework on agriculture, as contained in annex A to the decision, for negotiations, in accordance with paragraph 13 of the Doha Ministerial Declaration, noting that reforms in all three pillars of market access, domestic support and export competition form an interconnected whole and must be approached in a balanced and equitable manner with operationally effective and meaningful special and differential treatment for developing countries, and recalling that agriculture is of critical importance to the economic development of developing country members of the World Trade Organization, particularly to the least developed countries and the net food-importing developing countries, and that they must be able to pursue agricultural policies that are supportive of their development goals, poverty reduction strategies and food security and livelihood concerns, and that non-trade concerns will be taken into account;

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[39] Ibid., *Supplement No. 15.*

[40] A/59/305.

[41] TD/412, part I.

[42] Ibid., part II.

[43] TD/386.

(*c*) Implementing concretely the commitment to address cotton issues ambitiously, expeditiously and specifically within the agriculture negotiations, as provided for in annex A to the decision;

(*d*) The elaboration of modalities on market access for non-agricultural products pursuant to annex B to the decision, with the aim of reducing or, as appropriate, eliminating tariffs, including the reduction or elimination of tariff peaks, high tariffs and tariff escalation, as well as non-tariff barriers, in particular on products of export interest to developing countries, with a comprehensive product coverage and without a priori exclusions, and recalling also the importance of special and differential treatment and less than full reciprocity in reduction commitments for developing countries as integral parts of the modalities;

(*e*) Negotiations on trade in services, as provided for in annex C to the decision, with a view to providing effective market access to all members of the World Trade Organization; in order to ensure a substantive outcome, members shall strive to ensure a high quality of offers by May 2005, particularly in sectors and modes of supply of export interest to developing countries, giving special attention to the least developed countries, and aiming to achieve progressively higher levels of liberalization with no a priori exclusion of any service sector or mode of supply; special attention shall be given to sectors and modes of supply of export interest to developing countries, noting the interest of developing countries, as well as other members, in mode 4;

(*f*) Enhancing trade-related technical assistance and capacity-building to increase the effective participation of developing countries in the negotiations, to facilitate their implementation of World Trade Organization rules and to enable them to adjust and diversify their economies;

(*g*) Advancing the negotiations aimed at clarifying and improving disciplines under the agreements in the areas of anti-dumping, subsidies and countervailing measures, while preserving the basic concepts, principles and effectiveness of those agreements, taking into account the needs of developing countries, in accordance with paragraph 1 (*f*) of the decision;

(*h*) Advancing negotiations under the review of the dispute settlement understanding, in accordance with paragraph 1 (*f*) of the decision;

(*i*) Negotiations on trade facilitation, the results of which should take fully into account the principle of special and differential treatment for developing and least developed countries, in accordance with annex D to the decision;

8. *Reaffirms* the importance of market access, and in this context recalls the importance of respect for World Trade Organization disciplines, including in the area of anti-dumping, inter alia, to avoid the abusive application of anti-dumping and other trade-distorting measures;

9. *Reaffirms also* the importance of the full implementation of the Agreement on Textiles and Clothing of the World Trade Organization,[44] which provides for the complete phase-out of the quotas on textiles and clothing by 31 December 2004;

10. *Reaffirms further* the importance of the development dimension of the Agreement on Trade-related Aspects of Intellectual Property Rights;[44]

11. *Invites* all members of the World Trade Organization to effectively implement the decision adopted by the General Council of the World Trade Organization on 30 August 2003[45] on the implementation of paragraph 6 of the Doha Declaration on the Agreement on Trade-related Aspects of Intellectual Property Rights and Public Health[46] to address the problems faced by countries with insufficient or no manufacturing capacity in the pharmaceutical sector in accessing medicines at affordable prices when combating serious public health problems afflicting many developing and least developed countries, especially those resulting from HIV/AIDS, tuberculosis, malaria and other epidemics, and, as agreed by the World Trade Organization Council for Trade-related Aspects of Intellectual Property Rights on 16 June 2004, to expeditiously establish a permanent solution by amending the Agreement on Trade-related Aspects of Intellectual Property Rights on the basis of the recommendations by the Council to be presented by March 2005;

12. *Invites* the World Intellectual Property Organization to continue further its development activities and to continue to cooperate with relevant international organizations;

13. *Stresses* that the adoption or enforcement of any measures necessary to protect human, animal or plant life or health should not be applied in a manner that would constitute arbitrary or unjustified discrimination or a disguised restriction on international trade, while recognizing the rights of members of the World Trade Organization to determine their own appropriate level of sanitary and phyto-sanitary protection in accordance with World Trade Organization rules, and recognizes the need to facilitate the increased participation of the developing countries in the work of relevant international standard-setting organizations as well as the importance of providing financial and technical assistance and capacity-

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[44] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

[45] World Trade Organization, document WT/L/540. Available from http://docsonline.wto.org.

[46] World Trade Organization, document WT/MIN(01)/DEC/2. Available from http://docsonline.wto.org.

building efforts to enable them to respond adequately to the introduction of any new measures;

14. *Emphasizes* that issues related to trade, debt and finance and transfer of technology duly covered in the Doha work programme should be addressed as a high priority in accordance with the Doha work programme and the World Trade Organization General Council decision of 1 August 2004;

15. *Recalls* the commitment of the members of the World Trade Organization, in line with the Doha mandates, to progress in the areas of rules, trade and environment, and trade-related aspects of intellectual property rights, as stated in the World Trade Organization General Council decision of 1 August 2004;

16. *Stresses* the importance of an open, transparent, inclusive and democratic process and of procedures for the effective functioning of the multilateral trading system that allow for internal transparency and the effective participation of members, including in the decision-making process, and that enable them to have their vital interests duly reflected in the outcome of trade negotiations;

17. *Also stresses* the importance of facilitating the accession of all developing countries, in particular the least developed countries, as well as countries with economies in transition, that apply for membership in the World Trade Organization, consistent with its criteria, bearing in mind paragraph 21 of resolution 55/182 and subsequent developments, and calls for the effective and faithful application of the World Trade Organization guidelines on accession of the least developed countries;

18. *Invites* members of the international community to consider the interests of non-members of the World Trade Organization in the context of trade liberalization;

19. *Emphasizes* that bilateral and regional trade arrangements should complement the goals of the multilateral trading system, and in this context stresses the importance of clarifying and improving disciplines and procedures under the existing provisions of the World Trade Organization applying to regional trade agreements in accordance with paragraph 29 of the Doha Ministerial Declaration, taking into account the developmental aspects of regional trade agreements, and urges the United Nations Conference on Trade and Development, in accordance with its mandate, to provide technical inputs in this respect;

20. *Notes with appreciation* the autonomous steps taken by some countries in providing trade-related assistance and by simplifying administrative procedures to facilitate access to their markets for exports from developing countries;

21. *Reaffirms* the commitments made at the Fourth Ministerial Conference of the World Trade Organization, and at the Third United Nations Conference on the Least Developed Countries, held in Brussels from 14 to 20 May 2001,[47] in this regard calls upon developed countries that have not already done so to work towards the objective of duty-free, quota-free market access for all least developed country exports, and notes that the consideration of proposals for developing countries to contribute to improved market access for the least developed countries would also be helpful;

22. *Welcomes* the commitment to actively pursue the work programme of the World Trade Organization with respect to addressing the trade-related issues and concerns affecting the fuller integration of countries with small, vulnerable economies into the multilateral trading system in a manner commensurate with their special circumstances and in support of their efforts towards sustainable development, in accordance with paragraph 35 of the Doha Ministerial Declaration;

23. *Recognizes* the special problems and needs of the landlocked developing countries within a new global framework for transit transport cooperation for landlocked and transit developing countries, in this regard calls for the full and effective implementation of the Almaty Programme of Action,[37] and stresses the need for the implementation of the São Paulo Consensus,[42] adopted on 18 June 2004 at the eleventh session of the United Nations Conference on Trade and Development in São Paulo, Brazil, in particular paragraphs 66 and 84 thereof, by the relevant international organizations and donors in a multi-stakeholder approach;

24. *Recognizes also* the importance of addressing seriously the concerns of commodity-dependent developing countries, owing to the continuing volatility of world commodity prices and other factors, and of supporting the efforts of such countries to restructure, diversify and strengthen the competitiveness of their commodity sectors, and in this regard notes the formation of an international task force on commodities by the United Nations Conference on Trade and Development;

25. *Emphasizes* the importance of addressing the concerns of a number of developing countries in respect of the erosion of preferences and the impact of liberalization on their tariff revenues;

26. *Stresses* the importance of enhancing South-South trade and cooperation in the context of an emerging new trade geography that complements North-South trade and cooperation, and takes note of the decision, adopted in June 2004, to launch the third round of negotiations on the Global System of Trade Preferences among Developing Countries;

27. *Recognizes* that it is important for developing countries and countries with economies in transition to consider reducing trade barriers among themselves;

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[47] See A/CONF.191/13.

28. *Expresses its concern* about the adoption of a number of unilateral actions that are not consistent with the rules of the World Trade Organization, harm the exports of all countries, in particular those of developing countries, and have a considerable bearing on the ongoing World Trade Organization negotiations and on the achievement and further enhancement of the development dimension of the trade negotiations;

29. *Emphasizes* the importance of developing human, institutional, regulatory and research and development capacities and infrastructures aimed at enhanced supply-side capacity and competitiveness, as well as ensuring a conducive international environment for the full and effective integration of developing countries and countries with economies in transition into the international trading system;

30. *Stresses* the importance of strengthening and enabling the trade, investment and business environments through the adoption of appropriate domestic measures and conditions to encourage local, regional and international investment and efforts to prevent and dismantle anti-competitive practices and promote responsibility and accountability of corporate actors at both the international and the national levels, thereby enabling developing countries' producers, enterprises and consumers to take advantage of trade liberalization, and encourages developing countries to consider establishing competition laws and frameworks best suited to their development needs, complemented by technical and financial assistance for capacity-building, taking fully into account national policy objectives and capacity constraints;

31. *Notes* that the outcome documents of the eleventh session of the United Nations Conference on Trade and Development emphasized the importance for all countries of enhancing coherence between national development strategies and global economic processes towards economic growth and development, in particular of developing countries, and, in that context, reinforced the consensus that trade is a means to growth and development and that the international trading system and trade negotiations should facilitate development gains;

32. *Also notes* the important and unique mandate of the United Nations Conference on Trade and Development, which was reaffirmed at its eleventh session, and supports the continued work of the United Nations Conference on Trade and Development in support of the effective and beneficial integration of developing countries and countries with economies in transition into the global economy in cooperation with relevant international organizations;

33. *Invites* the United Nations Conference on Trade and Development, in accordance with its mandate, to monitor and assess the evolution of the international trading system and of trends in international trade from a development perspective, and in particular to analyse issues of concern to developing countries and countries with economies in transition, supporting them in the formulation, implementation and review of national trade and trade-related policies and options with a view to maximizing their share of world trade;

34. *Reiterates* the importance of supporting the programmes and technical cooperation and capacity-building activities of the United Nations Conference on Trade and Development that assist developing countries, especially the least developed countries and countries with economies in transition, in international trade and trade negotiations, in particular in support of their participation in the Doha work programme, including the Integrated Framework for Trade-related Technical Assistance to Least Developed Countries and the Joint Integrated Technical Assistance Programme;

35. *Requests* the Secretary-General, in collaboration with the secretariat of the United Nations Conference on Trade and Development, to report to the General Assembly at its sixtieth session on the implementation of the present resolution and on developments in the multilateral trading system under the sub-item entitled "International trade and development".

RESOLUTION 59/222

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/481/Add.2, para. 6)[48]

59/222. International financial system and development

The General Assembly,

Recalling its resolutions 55/186 of 20 December 2000 and 56/181 of 21 December 2001, both entitled "Towards a strengthened and stable international financial architecture responsive to the priorities of growth and development, especially in developing countries, and to the promotion of economic and social equity", as well as its resolutions 57/241 of 20 December 2002 and 58/202 of 23 December 2003,

Recalling also the United Nations Millennium Declaration[49] and its resolution 56/210 B of 9 July 2002, in which it endorsed the Monterrey Consensus of the International Conference on Financing for Development,[50] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[51]

Emphasizing that the international financial system should further sustain economic growth and support sustainable development and poverty eradication, while allowing for the coherent mobilization of all sources of financing for development, including the mobilization of domestic resources, international investment flows, official development assistance and external debt relief, and an open, equitable, rule-based, predictable and non-discriminatory global trading system,

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[48] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[49] See resolution 55/2.

[50] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[51] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

Reiterating that success in meeting the objectives of development and poverty eradication depends on good governance within each country and at the international level, and stressing that sound economic policies, solid democratic institutions responsive to the needs of the people and improved infrastructure are the basis for sustained economic growth, poverty eradication and employment creation,

Recognizing that an enabling economic environment should, inter alia, foster a dynamic and well-functioning business sector and include efforts to further promote good corporate and public sector governance, to combat corruption in the private and public sectors, and to promote the strengthening of and respect for the rule of law,

Encouraging further progress on the issue of participation of developing countries in international economic decision-making and norm-setting processes, including those in the Bretton Woods institutions and other economic and financial institutions and ad hoc groupings, while welcoming the steps that have been taken with a view to strengthening the capacity of developing countries to participate effectively in the international financial institutions,

Recognizing the urgent need to enhance the coherence, governance and consistency of the international monetary, financial and trading systems, and the importance of ensuring their openness, fairness and inclusiveness in order to complement national development efforts to ensure sustained economic growth and the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,

Emphasizing the need for additional stable and predictable financing to help developing countries undertake investment plans to achieve internationally agreed development goals,

Welcoming the initiative launched by the Presidents of Brazil, Chile and France and the Prime Minister of Spain, with the support of the Secretary-General, to convene in New York on 20 September 2004 the Summit of World Leaders for Action against Hunger and Poverty,

Taking note of the note by the Secretary-General on innovative sources of financing for development,[52]

Reiterating the need to strengthen the leadership role of the United Nations in promoting development,

1. *Takes note* of the report of the Secretary-General;[53]

2. *Notes* that the global economy is recovering, supported by growth in some developing countries, and that economic growth should be further strengthened and sustained, and stresses the importance of cooperative efforts by all countries and institutions to cope with the risks of financial instability and to ensure a strong and steady recovery, as a means of achieving greater financial stability, and in this regard acknowledges recent efforts at regional monetary cooperation;

3. *Also notes* the continued net outward transfer of financial resources from developing to developed countries, acknowledging the outward investment from some developing countries as an indication of their integration into the world economy, underscores the need for appropriate measures at the national and international levels to address this issue, and further notes the efforts that have been made thus far to this end and the fact that, for some developing countries, those transfers, at the present time, indicate positive developments in the trade balance, which are required, inter alia, for debt repayment and allow for the purchase of foreign assets;

4. *Underlines* the importance of promoting international financial stability and sustainable growth, and welcomes the efforts undertaken to this end by the International Monetary Fund and the Financial Stability Forum, as well as the consideration by the International Monetary and Financial Committee of ways to sharpen tools designed to promote international financial stability and enhance crisis prevention, inter alia, through an even-handed implementation of surveillance, including at the regional level, and a sharpening of surveillance of capital markets and systemically and regionally important countries, with a view, inter alia, to the early identification of problems and risks, integrating debt sustainability analysis, the fostering of appropriate policy responses, the possible provision of financing and other instruments designed to prevent the emergence or spread of financial crises, and further improvements in the transparency of macroeconomic data and statistical information on international capital flows;

5. *Also underlines* the importance of efforts at the national level to increase resilience to financial risk, stresses in this regard the importance of better assessment of a country's debt burden and its ability to service that debt in both crisis prevention and resolution, and welcomes the ongoing work of the International Monetary Fund on assessing debt sustainability;

6. *Reiterates* in this regard that measures to mitigate the impact of excessive volatility of short-term capital flows and to improve transparency of and information about financial flows are important and must be considered;

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[52] A/59/272.

[53] A/59/218 and Corr.1.

7. *Notes* the impact of financial crisis or risk of contagion in developing countries and countries with economies in transition, regardless of their size, and in this regard welcomes the efforts of the international financial institutions, in their support to countries, to continuously adapt their array of financial facilities and resources, drawing on a full range of policies, taking into account the effects of economic cycles, as and where appropriate, having due regard to sound fiscal management and the specific circumstances of each case, so as to prevent and respond to such crises in a timely and appropriate way;

8. *Stresses* the importance of strong domestic institutions in promoting business activities and financial stability for the achievement of growth and development, inter alia, through sound macroeconomic policies and policies aimed at strengthening the regulatory systems of the corporate, financial and banking sectors, and also stresses that international cooperation initiatives in those areas should encourage flows of capital to developing countries;

9. *Notes* that building an environment that encourages development of the domestic business sector requires that countries undertake appropriate policies to minimize the risk of and respond to external shocks and their impact, inter alia, on growth and employment, and encourages the International Monetary Fund and the World Bank to take into account the specific conditions of developing countries in determining their guidance to them in this area;

10. *Stresses* the importance of advancing in respect of the efforts to reform the international financial architecture, as envisaged in the Monterrey Consensus of the International Conference on Financing for Development,[50] and in this regard encourages the International Monetary Fund and the World Bank to continue examining the issues of the voice and effective participation of developing countries and countries with economies in transition in their decision-making processes;

11. *Welcomes* the ongoing work of the International Monetary Fund on quotas, and notes the conclusion of the Fund's Twelfth General Review of Quotas, the report on which indicated the adequacy of the current level of Fund resources and the intention of the Executive Board, during the period of the Thirteenth General Review, to monitor closely and assess the adequacy of Fund resources, to consider measures to achieve a distribution of quotas that reflects developments in the world economy and to consider measures to strengthen the governance of the Fund;

12. *Notes* the ongoing analysis by the World Bank and the International Monetary Fund, as mentioned in the communiqué of the Development Committee of 2 October 2004,[54] of proposals on financing modalities to complement increased aid flows and commitments with innovative mechanisms, and their technical feasibility;

13. *Looks forward* to further consideration of the subject of possible innovative and additional sources of financing for development from all sources, public and private, domestic and external, taking into account international efforts, contributions and discussions, within the overall framework of the follow-up to the International Conference on Financing for Development;

14. *Reaffirms* the need to adopt policies and undertake measures to reduce the cost of the transfer of migrant remittances to developing countries, and welcomes the efforts of Governments and stakeholders in this regard;

15. *Emphasizes* that it is essential to ensure the effective and equitable participation of developing countries in the formulation of financial standards and codes, underscores the need to ensure their implementation, on a voluntary and progressive basis, as a contribution to reducing vulnerability to financial crisis and contagion, and notes that more than one hundred countries participated or agreed to participate in a joint World Bank-International Monetary Fund financial sector assessment programme;[55]

16. *Invites* the multilateral and regional development banks and development funds to continue to play a vital role in serving the development needs of developing countries and countries with economies in transition, including through coordinated action, as appropriate, and stresses that strengthened regional development banks and subregional financial institutions add flexible financial support to national and regional development efforts, thus enhancing their ownership and overall efficiency, and are an essential source of knowledge and expertise for their developing-country members;

17. *Calls for* the continued effort of the multilateral financial institutions, in providing policy advice, technical assistance and financial support to member countries, to work on the basis of nationally owned reform and development strategies, to pay due regard to the special needs and implementing capacities of developing countries and countries with economies in transition, and to minimize the negative impacts of the adjustment programmes on the vulnerable segments of society, while taking into account the importance of gender-sensitive employment and poverty eradication policies and strategies;

18. *Stresses* the need to continuously improve standards of corporate and public sector governance, including accounting, auditing and measures to ensure transparency, noting the disruptive effects of inadequate policies;

19. *Acknowledges* the ongoing work towards a more comprehensive approach to sovereign debt restructurings,

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[54] See *IMF Survey*, vol. 33, No. 18 (11 October 2004). Also available from www.imf.org/imfsurvey.

[55] See A/59/218 and Corr.1, para. 15.

supports the increasing inclusion of collective action clauses in international bond issuing, and strongly encourages leading bond issuing countries and the private sector to make substantial progress on the preparation of an effective code of conduct, bearing in mind the need not to preclude emergency financing in times of crisis, to promote fair burden-sharing and minimize moral hazard, which will engage debtors and creditors to come together to restructure unsustainable debts in a timely and efficient manner;

20. *Welcomes* the ongoing efforts, including those of the Bretton Woods institutions, to improve the assessment of debt sustainability in low- and middle-income countries through, inter alia, the development of better tools to deal with exogenous shocks and the need to take country-specific factors into account;

21. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

22. *Decides* to include in the provisional agenda of its sixtieth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "International financial system and development".

RESOLUTION 59/223

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/481/Add.3, para. 7)[56]

59/223. External debt crisis and development

The General Assembly,

Recalling its resolution 58/203 of 23 December 2003 on the external debt crisis and development,

Reaffirming the Monterrey Consensus of the International Conference on Financing for Development,[57] which recognizes sustainable debt financing as an important element for mobilizing resources for public and private investment,

Recalling the United Nations Millennium Declaration adopted on 8 September 2000,[58] which reaffirms the need to deal comprehensively and effectively with the debt problems of low- and middle-income developing countries,

Recalling also its resolution 57/270 B of 23 June 2003,

Concerned that a number of developing countries have not sufficiently benefited from the current global economic recovery in their efforts to attain the internationally agreed development goals, in particular the heavily indebted poor countries, where continuing debt and debt-servicing obligations could adversely affect their sustainable development,

Welcoming the further extension of the sunset clause of the Heavily Indebted Poor Countries Initiative, noting that the Initiative aims to promote debt sustainability in the poorest countries and that its implementation could be enhanced by streamlining conditionalities, emphasizing in this regard the need to ensure that debt relief does not replace other sources of financing, acknowledging furthermore the progress in the implementation of the Initiative,[59] and welcoming the call in the communiqué issued by the joint International Monetary Fund/World Bank Development Committee on 2 October 2004[60] urging all creditors to participate in the Initiative,

1. *Takes note* of the report of the Secretary-General;[61]

2. *Emphasizes* that creditors and debtors must share responsibility for preventing and resolving unsustainable debt situations in a timely and efficient manner, stresses the need to continue to bring them together in relevant international forums, and in this regard reiterates that the international financial system, along with enhanced official and private external financing and foreign direct investment, are key elements for a durable solution;

3. *Stresses* that debt relief can play a key role in liberating resources that should be directed towards activities consistent with poverty eradication, sustained economic growth and sustainable development and the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[58] and in this regard urges countries to direct those resources freed through debt relief, in particular through debt cancellation and reduction, towards these objectives;

4. *Also stresses* that debt sustainability depends on a confluence of many factors at the international and national levels, underscores the fact that no single indicator should be used to make definitive judgements about debt sustainability, and in this regard, while acknowledging the need to use transparent and comparable indicators, emphasizes that country-specific circumstances and the impact of external shocks should be taken into account in debt sustainability analyses and invites the International Monetary Fund and the World Bank, in their assessment of debt sustainability, to take into account fundamental changes caused by, inter alia, natural disasters,

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[56] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[57] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[58] See resolution 55/2.

[59] Fifteen countries have passed the completion point and twenty-seven countries have redirected substantial funds from debt-servicing to social expenditures.

[60] See *IMF Survey*, vol. 33, No. 18 (11 October 2004). Also available from www.imf.org/imfsurvey.

[61] A/59/219.

conflicts and changes in global growth prospects or in the terms of trade, especially for commodity-exporting developing countries;

5. *Notes with concern* that, in spite of the progress achieved, some countries that have reached the completion point of the Heavily Indebted Poor Countries Initiative have not been able to achieve lasting debt sustainability, stresses the importance of promoting responsible lending and borrowing and the need to help these countries manage their borrowings and avoid a build-up of unsustainable debt, including through the use of grants, and in this regard welcomes the ongoing work by the International Monetary Fund and the World Bank to develop a forward-looking debt sustainability framework for heavily indebted poor countries and low-income countries, as well as the current discussion on other initiatives aimed at ensuring long-term debt sustainability, including through debt reduction or cancellation, while stressing the need to maintain the financial integrity of the multilateral financial institutions;

6. *Stresses* the need for the World Bank and the International Monetary Fund to keep the overall implications of the framework for low-income countries under review, calls for transparency in the computation of the country policy and institutional assessments, and welcomes the intention to disclose the International Development Association country performance ratings that form part of the framework;

7. *Reaffirms* the need to pursue, where appropriate, debt relief measures vigorously and expeditiously, by all creditors, including within the Paris and London Clubs and other relevant forums, and welcomes other bilateral initiatives that have been undertaken to reduce outstanding indebtedness, so as to contribute to debt sustainability and facilitate sustainable development;

8. *Reiterates* the call upon developed countries, as expressed in the Millennium Declaration, to complete the enhanced programme of debt relief for the Heavily Indebted Poor Countries Initiative and to ensure that it is fully financed;

9. *Recognizes and encourages* the efforts of the heavily indebted poor countries, and calls upon them to continue to improve their domestic policies and economic management, inter alia, through poverty reduction strategies, and to create a domestic environment conducive to private sector development, economic growth and poverty reduction, including a stable macroeconomic framework, transparent and accountable systems of public finance, a sound business climate and a predictable investment climate, and in this regard invites all creditors, both private and public, to encourage those efforts, for example, through further participation in the delivery of debt relief in the framework of the enhanced Heavily Indebted Poor Countries Initiative and continued provision of adequate and sufficiently concessional financing by international financing institutions and the donor community;

10. *Stresses* the importance of continued flexibility with regard to the eligibility criteria for the enhanced Heavily Indebted Poor Countries Initiative, in particular for countries in post-conflict situations, and the need to keep the computational procedures and assumptions underlying debt sustainability analysis under review;

11. *Also stresses* the need to find a solution for the debt problems of heavily indebted low- and middle-income developing countries that are not eligible for debt relief under the Heavily Indebted Poor Countries Initiative, and in this regard continues to encourage the exploration of mechanisms to comprehensively address the debt problems of those countries, which may include debt-for-sustainable-development swaps or multicreditor debt swap arrangements, as appropriate;

12. *Takes note* of the acceptance that the debt of some non-HIPC debtor countries is unsustainable and that prudent and appropriate steps are needed to deal with these problems, in this regard welcomes the Evian Approach of the Paris Club, and calls upon creditor countries to ensure that a more tailored response to debt restructuring is granted only in case of imminent default and is not considered by debtor countries as an alternative to more expensive sources of financing and that the debt of such countries is treated in a way that reflects their financial vulnerabilities and the objective of enhancing long-lasting debt sustainability;

13. *Invites* donor countries, taking into account country-specific debt sustainability analyses, to continue their efforts to increase bilateral grants to developing countries, which could contribute to debt sustainability in the medium to long term, recognizes the need for countries to be able to invest, inter alia, in health and education while maintaining debt sustainability, and in this regard stresses the need to take steps to ensure that resources provided for debt relief do not detract from official development assistance resources;

14. *Welcomes* the efforts of the international community to provide flexibility, and stresses the need to continue those efforts in helping post-conflict developing countries, especially those that are heavily indebted and poor, to achieve initial reconstruction for economic and social development;

15. *Acknowledges* the ongoing work towards a more comprehensive approach to sovereign debt restructuring, supports the increasing inclusion of collective action clauses in international bond issuing, and strongly encourages leading bond-issuing countries and the private sector to make substantial progress in the preparation of an effective code of conduct, bearing in mind the need not to preclude emergency financing in times of crisis, to promote fair burden-sharing and to minimize moral hazard, which will engage debtors and creditors to come together to restructure unsustainable debts in a timely and efficient manner;

16. *Welcomes* the efforts of, and further calls upon, the international community to support institutional capacity-

building in developing countries and countries with economies in transition for the management of financial assets and liabilities and to enhance sustainable debt management as an integral part of national development strategies;

17. *Invites* the United Nations Conference on Trade and Development, the International Monetary Fund and the World Bank, in cooperation with the regional commissions, development banks and funds and other multilateral institutions, to continue to study the possibility of creating a consultative group on external debt management aimed at developing best practices, promoting coherence and strengthening the institutional capacity of developing countries in debt management, taking into account work that has already been done;

18. *Calls upon* all Member States as well as the United Nations system, and invites the Bretton Woods institutions as well as the private sector to take appropriate measures and actions for the implementation of the commitments, agreements and decisions of the major United Nations conferences and summits, in particular those relating to the question of the external debt problem of developing countries;

19. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution and to include in that report a comprehensive and substantive analysis of the external debt and debt-servicing problems of developing countries;

20. *Decides* to include in the provisional agenda of its sixtieth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "External debt crisis and development".

RESOLUTION 59/224

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/481/Add.4, para. 11)[62]

59/224. Commodities

The General Assembly,

Recalling its resolutions 57/236 of 20 December 2002 and 58/204 of 23 December 2003, and stressing the urgent need to ensure their full implementation,

Recalling also the United Nations Millennium Declaration adopted by Heads of State and Government on 8 September 2000,[63]

Taking note of the Monterrey Consensus of the International Conference on Financing for Development,[64]

Taking note also of the Plan of Implementation of the World Summit on Sustainable Development,[65]

Taking note further of the Programme of Action for the Least Developed Countries for the Decade 2001–2010[66] and the *Least Developed Countries Report, 2004*,[67]

Recalling the Doha work programme adopted at the Fourth Ministerial Conference of the World Trade Organization, on 14 November 2001,[68] and welcoming the decision adopted in this context by the General Council of the World Trade Organization on 1 August 2004,[69]

Taking note of the São Paulo Consensus adopted at the eleventh session of the United Nations Conference on Trade and Development,[70] particularly the paragraphs relating to commodities,

Taking note also of the report of the Trade and Development Board on its fifty-first session,[71]

Recognizing that commodity prices are an important element for heavily indebted poor countries that are dependent on commodities for maintaining long-term debt sustainability,

Taking note of the targets set out in the Rome Declaration on World Food Security and the Plan of Action of the World Food Summit[72] and the outcome document of the World Food Summit: five years later,[73] which reaffirms the pledge to end hunger and poverty,

Recognizing that structural changes in international commodity markets, particularly the increasing concentration in trade and distribution, constitute new challenges for small farmers, commodity producers and exporters in developing countries,

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[62] The draft resolution recommended in the report was sponsored in the Committee by Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

[63] See resolution 55/2.

[64] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[65] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[66] See A/CONF.191/13, chap. II.

[67] United Nations publication, Sales No. E.04.II.D.27.

[68] See A/C.2/56/7, annex.

[69] World Trade Organization, document WT/L/579. Available from http://docsonline.wto.org.

[70] TD/412, part II.

[71] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 15* (A/59/15), part five.

[72] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13–17 November 1996* (WFS 96/REP), part one, appendix.

[73] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10–13 June 2002*, part one, appendix; see also A/57/499, annex.

Expressing its concern about the difficulties experienced by the developing countries in financing and implementing viable diversification programmes, which are essential for sustainable development and for attaining access to markets for their commodities,

1. *Takes note* of the report of Secretary-General on world commodity trends and prospects,[74] including the fact that while prices have improved for some commodities, the real prices of others remain on a declining trend;

2. *Recognizes* that many developing countries are highly dependent on primary commodities as their principal source of export revenues, employment, income generation and domestic savings and as the driving force of investment, economic growth and social development;

3. *Reiterates* the importance of maximizing the contribution of the commodity sector to sustained economic growth and sustainable development, while continuing diversification efforts in commodity-dependent developing countries;

4. *Emphasizes* the need for efforts by the developing countries that are heavily dependent on primary commodities to continue to promote a domestic policy and an institutional environment that encourage diversification and liberalization of the trade and export sectors and enhance competitiveness;

5. *Reaffirms* that each country has primary responsibility for its own economic and social development, and recognizes that an effective enabling environment at the national and international levels entails, inter alia, a sound macroeconomic framework, competitive markets, clearly defined property rights, an attractive investment climate, good governance, an absence of corruption and well-designed regulatory policies that protect the public interest and generate public confidence in market operations;

6. *Encourages* developing countries, with the necessary support of donor countries and the international community, to formulate specific commodity policies so as to contribute to the facilitation of trade expansion, the reduction of vulnerability and the improvement of livelihood and food security, by:

(*a*) Creating an enabling environment that encourages the participation of rural producers and small farmers;

(*b*) Continuing the diversification of the commodity sector and enhancing its competitiveness in developing countries that are heavily dependent on commodities;

(*c*) Increasing technology development and improving information systems, institutions and human resources;

7. *Notes* that the supply capacity and adaptability of many countries is constrained by weak institutional and technical capacity, and invites the international community to support commodity-dependent developing countries in addressing the loss of competitiveness and negative commodity production and trade trends and in taking the measures necessary to improve livelihoods and food security in commodity-dependent developing countries by supporting the design and implementation of commodity chain strategies, and welcomes initiatives taken in this regard;

8. *Emphasizes* the importance of official development assistance for agriculture and rural development, and invites developing countries to prioritize agriculture and rural development in their national development strategies and programmes, inter alia, in the New Partnership for Africa's Development,[75] and in this regard invites developed countries and the donor community to further reinforce their assistance to those sectors in developing countries by providing financial and technical support for activities aimed at addressing commodity issues, particularly the needs and problems of commodity-dependent developing countries;

9. *Welcomes* the decision taken by members of the World Trade Organization on 1 August 2004,[69] and stresses the importance of a successful conclusion of the Doha work programme;[68]

10. *Reiterates* the importance of expanded South-South trade and investment in commodities;

11. *Recalls* the potential of regional integration and cooperation to improve the effectiveness of traditional commodity sectors and support diversification efforts;

12. *Calls upon* developed countries that have not already done so to work towards the objective of providing duty-free and quota-free market access for all least developed country products, and encourages developing countries in a position to do so to contribute to improved market access for the least developed countries;

13. *Recognizes* that developed countries account for two thirds of world non-fuel commodity imports, and expresses the urgent need for supportive international policies and measures to improve the functioning of the commodity markets through efficient and transparent price-formation mechanisms, including commodity exchanges, and through the use of viable and effective commodity price risk-management instruments;

14. *Also recognizes* that market exigencies can constitute formidable challenges to developing country commodity producers and exporters, in particular small farmers, and urges both developing and developed countries to take appropriate steps to enable those producers to enter global

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[74] A/59/304.

[75] A/57/304, annex.

supply chains and to facilitate their effective participation in supply chains, and invites the private sector to promote partnerships that contribute to the effective participation of small producers in supply chains;

15. *Encourages* the United Nations Conference on Trade and Development, the Food and Agriculture Organization of the United Nations, the World Bank and other relevant international organizations, within their respective mandates, to enhance their efforts to facilitate access to market-based instruments, with prudential oversight for managing commodity risks due to price fluctuation and natural disasters, so as to address the commodity problems in developing countries;

16. *Regrets* that schemes to mitigate earnings shortfalls have not reached the originally envisaged goals, and urges Governments and invites international financial organizations to continue to assess the effectiveness, including the operationalization and user-friendliness, of the systems for compensatory financing of shortfalls in export earnings, and in this regard stresses the importance of empowering developing country commodity producers to insure themselves against risk, including natural disasters;

17. *Reiterates* the role of the United Nations Conference on Trade and Development in addressing commodities issues in a comprehensive way in accordance with relevant General Assembly resolutions and the provisions of the São Paulo Consensus,[75] and in this regard invites development partners to provide the resources required to enable the United Nations Conference on Trade and Development to undertake those activities;

18. *Notes with concern* that the real prices of some commodities are still on a declining trend, and requests the United Nations Conference on Trade and Development and the Food and Agriculture Organization of the United Nations, within their respective mandates, to explore appropriate ways of addressing this problem and identifying best practices for dealing with persistent oversupply situations;

19. *Calls upon* the United Nations Conference on Trade and Development to continue to work, in cooperation with all interested stakeholders, including donor countries and organizations, for the effective operation of the International Task Force on Commodities launched at the eleventh session of the United Nations Conference on Trade and Development, and invites interested parties to provide voluntary financial support for its effective operation;

20. *Underlines* the need to strengthen the Common Fund for Commodities, and encourages it, in cooperation with the International Trade Centre UNCTAD/WTO, the United Nations Conference on Trade and Development and other relevant bodies, to continue to strengthen the activities covered by its Second Account in developing countries with its supply chain concept of improving access to markets and reliability of supply, enhancing diversification and addition of value, improving the competitiveness of commodities, strengthening the market chain, improving market structures, broadening the export base and ensuring the effective participation of all stakeholders;

21. *Invites* all relevant stakeholders, including the United Nations Conference on Trade and Development, the Common Fund for Commodities and the Food and Agriculture Organization of the United Nations, within their respective mandates, and other donors to intensify their support for the financing of commodity diversification, focusing on developing private sector capacity, strengthening market institutions, developing strong producer associations for commodities with a proper role for producers, including women and small farmers, developing key infrastructure and stimulating investments;

22. *Requests* the Secretary-General of the United Nations, in collaboration with the Secretariat of the United Nations Conference on Trade and Development, to report on the implementation of the present resolution and on world commodity trends and prospects to the General Assembly at its sixty-first session;

23. *Decides* to include in the provisional agenda of its sixty-first session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "Commodities".

RESOLUTION 59/225

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/482, para. 13)[76]

59/225. Follow-up to and implementation of the outcome of the International Conference on Financing for Development

The General Assembly,

Recalling the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002, and its resolutions 56/210 B of 9 July 2002, 57/250 of 20 December 2002, 57/270 B of 23 June 2003, 57/272 and 57/273 of 20 December 2002 and 58/230 of 23 December 2003, as well as Economic and Social Council resolutions 2002/34 of 26 July 2002, 2003/47 of 24 July 2003 and 2004/64 of 16 September 2004,

Taking note of the report of the Secretary-General on the follow-up to and implementation of the outcome of the International Conference on Financing for Development, prepared in collaboration with the major institutional stakeholders,[77] and the note by the Secretary-General on innovative sources of financing for development,[78]

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[76] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

Having considered the summary by the President of the Economic and Social Council of the special high-level meeting of the Council with the Bretton Woods institutions and the World Trade Organization, held in New York on 26 April 2004,[79]

Recognizing the progress made in the implementation of the commitments made and agreements reached at the International Conference on Financing for Development and that more remains to be done,

Determined to continue to implement and build further on these commitments and agreements and to strengthen the coordinated and coherent engagement of all relevant stakeholders in the financing for development process,

Recalling the invitation to the World Trade Organization to strengthen its institutional relationship with the United Nations, in the context of the follow-up to the International Conference on Financing for Development,

Noting international efforts, contributions and discussions aimed at identifying possible innovative and additional sources of financing for development from all sources, public and private, domestic and external, within the context of the follow-up to the International Conference on Financing for Development, recognizing that some of the sources and their use fall within the realm of sovereign action,

Welcoming in this regard the initiative launched by the Presidents of Brazil, Chile and France and the Prime Minister of Spain, with the support of the Secretary-General, to convene in New York on 20 September 2004 the Summit of World Leaders on Action against Hunger and Poverty,

Noting the report of the Commission on the Private Sector and Development entitled *Unleashing Entrepreneurship: Making Business Work for the Poor*,[80]

Noting also the ongoing analysis by the World Bank and the International Monetary Fund, mentioned in the communiqué of the Development Committee of 2 October 2004,[81] of proposals on financing modalities to complement increased aid flows and commitments with innovative mechanisms, and their technical feasibility,

Welcoming the support of Member States for the Financing for Development Office of the Secretariat for organizing multi-stakeholder consultations within its mandate, and in accordance with resolution 58/230,

Recognizing the strong link between financing for development and the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[82]

1. *Reiterates* the call to implement fully and build further on the commitments made and agreements reached at the International Conference on Financing for Development;[83]

2. *Stresses* the importance of the full involvement of all relevant stakeholders in the implementation of the Monterrey Consensus of the International Conference on Financing for Development[84] at all levels, and stresses also the importance of their full participation in the Monterrey follow-up process, in accordance with the rules of procedure of the United Nations, in particular the accreditation procedures and modalities of participation utilized at the Conference and in its preparatory process;

3. *Underlines*, in accordance with the Monterrey Consensus:

(*a*) The importance of the implementation of the commitment to sound policies, good governance at all levels and the rule of law;

(*b*) The importance of the implementation of the commitment to create an enabling environment for mobilizing domestic resources and the importance of sound economic policies, solid democratic institutions responsive to the needs of the people and improved infrastructure as a basis for sustained economic growth, poverty eradication and employment creation;

(*c*) The importance, in order to complement national development efforts, of the implementation of the commitment to enhance the coherence and consistency of international monetary, financial and trading systems;

4. *Requests* the Secretary-General to consult with the Director-General of the World Trade Organization in order to expand existing cooperation between the two organizations on issues related to financing for development and to build on the ad hoc modality of interaction between the United Nations and the World Trade Organization in the preparations for the International Conference on Financing for Development by making better use of the possibilities offered by the existing framework of cooperation;

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[77] A/59/270.

[78] A/59/272.

[79] A/59/92-E/2004/73.

[80] United Nations publication, Sales No. E.04.III.B.4.

[81] See *IMF Survey*, vol. 33, No. 18 (11 October 2004). Also available from www.imf.org/imfsurvey.

[82] See resolution 55/2.

[83] See *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7).

[84] Ibid., chap. I, resolution 1, annex.

5. *Recognizes* the issues of particular concern to developing countries and countries with economies in transition acknowledged in paragraph 28 of the Monterrey Consensus, and the importance and critical role that a universal, rule-based, open, non-discriminatory and equitable multilateral trading system, as well as meaningful trade liberalization, can play in stimulating economic growth and development, benefiting countries at all stages of development, particularly in the case of the developing countries, where trade continues to be one of the most important sources of development financing, and in this regard welcomes the decision taken by the General Council of the World Trade Organization on 1 August 2004,[85] which rededicates and recommits members to fulfilling the development dimensions of the Doha Development Agenda, which places the needs of developing and least developed countries at the heart of the Doha work programme;[86]

6. *Notes* the recognition by the World Bank and the International Monetary Fund of the need to pursue efforts to increase fiscal space for public infrastructure investment within limits of fiscal prudence and debt sustainability;

7. *Decides* to give further consideration to the subject of possible innovative and additional sources of financing for development from all sources, public and private, domestic and external, taking into account international efforts, contributions and discussions, within the overall inclusive framework of the follow-up to the International Conference on Financing for Development;

8. *Acknowledges* the role that the private sector can play in generating new financing for development, and stresses the importance of pursuing appropriate policy and regulatory frameworks at the national level, in a manner consistent with national laws, to foster a dynamic and well-functioning business sector to increase economic growth and reduce poverty, while recognizing that the appropriate role of Government in market-oriented economies will vary from country to country;

9. *Reaffirms* the need to adopt policies and undertake measures to reduce the cost of transfer of migrant remittances to developing countries, and welcomes efforts by Governments and stakeholders in this regard;

10. *Notes* that, while foreign direct investment is a major source of financing development, the flow of such funds to developing countries and countries with economies in transition remains uneven, and in this regard calls upon developed countries to continue to devise source-country measures to encourage and facilitate the flow of foreign direct investment, inter alia, through the provision of export credits and other lending instruments, risk guarantees and business development services, and calls upon developing countries and countries with economies in transition to continue their efforts to create a conducive domestic environment for attracting investments by, inter alia, achieving a transparent, stable and predictable investment climate with proper contract enforcement and respect for property rights;

11. *Recalls* the commitments made at the International Conference on Financing for Development to increase the levels and effectiveness of official development assistance, in this regard welcomes the recent increase in official development assistance, which represents progress towards the target of 0.7 per cent of gross national product, as well as the progress announced by some countries, including in some cases the setting of clear timetables to achieve this objective, urges developed countries that have not yet done so to make concrete efforts to achieve the target of 0.7 per cent of gross national product as official development assistance to developing countries and 0.15 to 0.20 per cent of gross national product to least developed countries, and encourages developing countries to continue to build on progress achieved in ensuring that official development assistance is used effectively to help achieve development goals and targets;

12. *Notes* the efforts of donor countries and recipient countries to improve aid effectiveness, based on national development needs and priorities, including through sound policies at all levels, and stresses the need to intensify the efforts of multilateral and bilateral financial and development institutions in accordance with the Monterrey Consensus;

13. *Stresses* that debt relief can play a key role in liberating resources that should be directed towards activities consistent with poverty eradication, achieving sustained economic growth and sustainable development, as well as in the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[82] in this regard notes with concern that, in spite of some progress, some countries that have reached the completion point of the Heavily Indebted Poor Countries Initiative have not been able to achieve lasting debt sustainability; stresses the importance of promoting responsible lending and borrowing and the need to help these countries manage their borrowings and avoid a build-up of unsustainable debt, including through the use of grants; and in this regard welcomes the ongoing work by the International Monetary Fund and the World Bank to develop a forward-looking debt-sustainability framework for heavily indebted poor countries and low-income countries, as well as the current discussion on other initiatives aimed at ensuring long-term debt sustainability, including through debt reduction or cancellation, while stressing the need to maintain the financial integrity of the multilateral financial institutions;

14. *Stresses also* the importance of advancing in the efforts to reform the international financial architecture, as envisaged in the Monterrey Consensus, and in this regard encourages the International Monetary Fund and the World

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[85] World Trade Organization, document WT/L/579. Available from http://docsonline.wto.org.

[86] See A/C.2/56/7, annex.

Bank to continue examining the issues of the voice and effective participation of developing countries and countries with economies in transition in their decision-making processes;

15. *Emphasizes* that corruption at all levels is a serious barrier to development and to effective resource mobilization and allocation, reaffirms the commitment expressed in the Monterrey Consensus to make the fight against corruption at all levels a priority, welcomes actions taken in that regard at the national and international levels, and invites all Governments that have not yet done so to sign and ratify the United Nations Convention against Corruption;[87]

16. *Decides* to consider, by the first part of 2005, the appropriate modalities for holding the High-Level Dialogue on Financing for Development, taking into account developments in the preparation for the high-level event of the General Assembly to be held in 2005, and in this context stresses the importance of financing for development for the comprehensive review of the progress made in the implementation of the Millennium Declaration and the outcomes of the major United Nations conferences and summits in the economic, social and related fields;

17. *Decides also* to consider in 2005 the timing and modalities for a follow-up conference to review the implementation of the Monterrey Consensus, as called for in paragraph 73 of the Consensus;

18. *Emphasizes* the importance of an effective intergovernmental follow-up to the International Conference on Financing for Development, in this regard recalls paragraph 69 of the Monterrey Consensus as well as resolution 58/230, reiterates the need to continue to explore ways of strengthening the follow-up, and decides to keep the issue under review;

19. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Follow-up to and implementation of the outcome of the International Conference on Financing for Development", and requests the Secretary-General to submit under this item an annual analytical assessment of the state of implementation of the Monterrey Consensus and of the present resolution, to be prepared in full collaboration with the major institutional stakeholders.

RESOLUTION 59/226

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483, para. 11)[88]

59/226. Report of the Governing Council of the United Nations Environment Programme on its eighth special session

The General Assembly,

Recalling its resolutions 2997 (XXVII) of 15 December 1972, 53/242 of 28 July 1999, 56/193 of 21 December 2001, 57/251 of 20 December 2002 and 58/209 of 23 December 2003,

Taking into account Agenda 21[89] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[90]

Reaffirming the role of the United Nations Environment Programme as the principal body within the United Nations system in the field of environment, which should take into account, within its mandate, the sustainable development needs of developing countries as well as countries with economies in transition,

Recalling the provisions of the Johannesburg Plan of Implementation[91] on the full implementation of the outcomes of the decision on international environmental governance adopted by the Governing Council of the United Nations Environment Programme at its seventh special session,[92]

Reiterating the need to ensure that capacity-building and technology support to developing countries, as well as countries with economies in transition, in environment-related fields, remain important components of the work of the United Nations Environment Programme, and noting in this regard the ongoing work of the High-level Open-ended Intergovernmental Working Group to prepare an intergovernmental strategic plan for technology support and capacity-building,

Recalling its resolutions 57/251 and 58/209, by which Member States, the Governing Council and the relevant bodies of the United Nations system were encouraged to submit their comments, in a timely manner, on the important but complex issue of establishing universal membership of the Governing Council/Global Ministerial Environment Forum, including its legal, political, institutional, financial and system-wide implications, in order to contribute to the report of the Secretary-General to be submitted to the General Assembly for consideration before its sixtieth session,

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[87] Resolution 58/4, annex.

[88] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[89] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[90] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[91] Ibid., para. 140 (*d*).

[92] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 25* (A/57/25), annex I, decision SS.VII/1.

1. *Takes note* of the report of the Governing Council of the United Nations Environment Programme on its eighth special session[93] and the decisions contained therein;

2. *Also takes note* of the report of the Secretary-General submitted pursuant to its resolutions 57/251 and 58/209;[94]

3. *Notes* that the Governing Council, at its eighth special session, discussed all components of the recommendations on international environmental governance, as contained in its decision SS.VII/1,[92] and notes the continued discussion scheduled for its twenty-third session;

4. *Emphasizes* the need for the United Nations Environment Programme, within its mandate, to further contribute to sustainable development programmes, the implementation of Agenda 21[89] and the Johannesburg Plan of Implementation[90] at all levels and to the work of the Commission on Sustainable Development, bearing in mind the mandate of the Commission on Sustainable Development;

5. *Calls upon* all countries to further engage in the negotiations of the intergovernmental strategic plan for technology support and capacity-building with a view to its adoption at the twenty-third session of the Governing Council, in February 2005;

6. *Notes* the differences in the views expressed so far on the important but complex issue of establishing universal membership for the Governing Council/Global Ministerial Environment Forum, notes also the upcoming consideration of the question of universal membership by the Council/Forum at its twenty-third session, encourages Member States, the Governing Council and the relevant bodies of the United Nations system that have not yet done so to submit their comments to the Secretariat on the important but complex issue of establishing universal membership for the Council/Forum, including the legal, political, institutional, financial and system-wide implications, as their contribution to the report of the Secretary-General and requests the Secretary-General to submit a report incorporating those views to the Assembly for consideration at its sixty-first session;

7. *Emphasizes* the need to further enhance coordination and cooperation among the relevant United Nations organizations in the promotion of the environmental dimension of sustainable development, and in this respect welcomes the continued participation of the United Nations Environment Programme in the United Nations Development Group;

8. *Calls upon* the United Nations Environment Programme to continue to contribute, within its mandate and as a member of the Inter-Agency Task Force, to the preparations for the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, to be held in Mauritius from 10 to 14 January 2005;[95]

9. *Notes* the decision of the Governing Council to discuss at its twenty-third session issues related to domestic, industrial and hazardous waste management, in particular regarding capacity-building and technology support,[96] and, in that context, to consider innovative ways of mobilizing financial resources from all appropriate sources to support the efforts of developing countries and countries with economies in transition in this area;

10. *Also notes* the decision of the Governing Council to review at its twenty-third session the implementation of the conclusions and recommendations contained in the report of the intergovernmental consultation on the strengthening of the scientific base of the United Nations Environment Programme;[97]

11. *Reiterates* the need for stable, adequate and predictable financial resources for the United Nations Environment Programme, and in accordance with resolution 2997 (XXVII) underlines the need to consider the adequate reflection of all administrative and management costs of the Environment Programme in the context of the United Nations regular budget;

12. *Welcomes* the progress made in the implementation of the provisions of section III.B. of the appendix to decision SS.VII/1 of the Governing Council on strengthening the role and financial situation of the United Nations Environment Programme, including the significant broadening of the donor base and increasing total contributions to the Environment Fund,[92] and, in this regard, notes that the Governing Council will review the implementation of those provisions at its twenty-third session;

13. *Requests* the Secretary-General to keep the resource needs of the United Nations Environment Programme and the United Nations Office at Nairobi under review so as to permit the delivery, in an effective manner, of necessary services to the Environment Programme and to the other United Nations organs and organizations in Nairobi.

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[93] Ibid., *Fifty-ninth Session, Supplement No. 25* (A/59/25).

[94] A/59/262.

[95] See resolution 57/262.

[96] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 25* (A/59/25), annex I, decision SS.VIII/4.

[97] Ibid., decision SS.VIII/1, sect. II.

RESOLUTION 59/227

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.1, para. 13)[98]

59/227. Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development

The General Assembly,

Recalling its resolutions 55/199 of 20 December 2000, 56/226 of 24 December 2001, 57/253 of 20 December 2002 and 57/270 A and B of 20 December 2002 and 23 June 2003, respectively, as well as its resolution 58/218 of 23 December 2003,

Recalling also the Rio Declaration on Environment and Development,[99] Agenda 21,[100] the Programme for the Further Implementation of Agenda 21,[101] the Johannesburg Declaration on Sustainable Development[102] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[103]

Reaffirming the commitment to implement Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Plan of Implementation, including the time-bound goals and targets, and the other internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[104]

Recalling the outcomes of the major United Nations conferences and summits, including the Monterrey Consensus of the International Conference on Financing for Development,[105]

Reaffirming the continuing need to ensure a balance between economic development, social development and environmental protection as interdependent and mutually reinforcing pillars of sustainable development,

Reaffirming also that eradicating poverty, changing unsustainable patterns of production and consumption and protecting and managing the natural resource base of economic and social development are overarching objectives of and essential requirements for sustainable development,

Recognizing that good governance within each country and at the international level is essential for sustainable development,

Noting with satisfaction that the Commission on Sustainable Development at its twelfth session undertook an in-depth evaluation of progress in implementing Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, focusing on the thematic cluster of issues on water, sanitation and human settlements, and identified best practices, constraints and obstacles in the process of implementation,[106]

Noting that the organization of work of the twelfth session of the Commission included plenary sessions, an interactive plenary dialogue and regional meetings, as well as a partnership fair, learning centres and side events,

Recalling the decision of the Commission at its eleventh session, endorsed by the Economic and Social Council in its resolution 2003/61 of 25 July 2003, that the Commission, at its policy sessions, to be held in April/May of the second year of the cycle, would take policy decisions on practical measures and options to expedite implementation in the selected thematic cluster of issues, taking account of the discussions of the intergovernmental preparatory meeting, the reports of the Secretary-General and other relevant inputs,[107]

Recalling also the decision of the Commission at its eleventh session that the discussions of the intergovernmental preparatory meeting would be based on the outcome of the review session and reports of the Secretary-General, as well as other relevant inputs, and that, on the basis of those discussions, the Chair would prepare a draft negotiating document for consideration at the policy session,[107]

Looking forward to the upcoming cycles of the work programme of the Commission as adopted at its eleventh session and their contributions to the further implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development,

1. *Takes note* of the report of the Secretary-General on the activities undertaken in the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21

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[98] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[99] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex I.

[100] Ibid., annex II.

[101] Resolution S-19/2, annex.

[102] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[103] Ibid., resolution 2, annex.

[104] See resolution 55/2.

[105] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[106] See *Official Records of the Economic and Social Council, 2004, Supplement No. 9* (E/2004/29).

[107] Ibid., *2003, Supplement No. 9* (E/2003/29), chap. I, sect. A.

and the outcomes of the World Summit on Sustainable Development;[108]

2. *Reiterates* that sustainable development is a key element of the overarching framework for United Nations activities, in particular for achieving the internationally agreed development goals, including those contained in the United Nations Millennium Declaration[104] and in the Johannesburg Plan of Implementation;[103]

3. *Calls upon* Governments, all relevant international and regional organizations, the Economic and Social Council, the United Nations funds and programmes, the regional commissions and specialized agencies, the international financial institutions, the Global Environment Facility and other intergovernmental organizations, in accordance with their respective mandates, as well as major groups, to take action to ensure the effective implementation of and follow-up to the commitments, programmes and time-bound targets adopted at the World Summit on Sustainable Development, and encourages them to report on concrete progress in that regard;

4. *Calls for* the implementation of the commitments, programmes and time-bound targets adopted at the Summit and, to that end, for the fulfilment of the provisions relating to the means of implementation, as contained in the Johannesburg Plan of Implementation;

5. *Encourages* Governments to participate, at the appropriate level, with representatives from the relevant departments and agencies in water, sanitation and human settlements, as well as finance, in the intergovernmental preparatory meeting and the thirteenth session of the Commission on Sustainable Development;

6. *Recalls* the decision of the Commission at its eleventh session to invite the regional commissions, in collaboration with the secretariat of the Commission, to consider organizing regional implementation meetings in order to contribute to the work of the Commission,[107] and in this regard urges the regional commissions to take into account the relevant thematic clusters contained in the programme of work of the Commission and to provide inputs as specified by the Commission at its eleventh session;

7. *Recalls also* the decision of the Commission at its eleventh session that activities during Commission meetings should provide for the balanced involvement of participants from all regions, as well as for gender balance;[107]

8. *Welcomes* the contributions of the regional commissions to the work of the Commission at its twelfth session, including the regional meetings focusing on the thematic cluster of issues on water, sanitation and human settlements, and their inputs to the reports of the Secretary-General;

9. *Invites* donor countries to consider supporting the participation of experts from the developing countries in the areas of water, sanitation and human settlements in the thirteenth session of the Commission;

10. *Takes note with interest* of the establishment of the Advisory Board on Water and Sanitation by the Secretary-General, and looks forward to its contribution to the mobilization of efforts and resources towards the implementation of the commitments, goals and targets agreed upon in these areas;

11. *Requests* the Secretary-General, in reporting to the Commission at its thirteenth session on the state of the implementation of Agenda 21,[100] the Programme for the Further Implementation of Agenda 21[101] and the Johannesburg Plan of Implementation,[103] on the basis of appropriate inputs from all levels, to submit thematic reports on each of the three issues contained in the thematic cluster of issues on water, sanitation and human settlements, taking into account their interlinkages, while addressing the cross-cutting issues identified by the Commission at its eleventh session;[107]

12. *Requests* the Commission, in accordance with General Assembly resolution 47/191 of 22 December 1992 and as specified by the Commission at its eleventh session, to examine the cross-cutting issues related to the thematic cluster of issues on water, sanitation and human settlements;

13. *Stresses* the importance of the success of the Commission at its thirteenth session in:

(*a*) Taking policy decisions on practical measures and options to expedite implementation in the thematic cluster of issues on water, sanitation and human settlements;

(*b*) Mobilizing further action by all implementation actors to overcome obstacles and constraints in the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation;

14. *Takes note* of the report of the Secretary-General on inter-agency cooperation,[109] and requests him to continue his efforts to strengthen system-wide inter-agency cooperation and coordination for the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, and in this regard to report on such inter-agency cooperation and coordination activities and their terms of reference to the Economic and Social Council in 2005;

15. *Recalls* its resolution 58/291 of 6 May 2004 and Economic and Social Council resolutions 2004/44 of 22 July

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[108] A/59/220.

[109] E/2004/12-E/CN.17/2004/3.

2004 and 2004/63 of 23 July 2004, and in this regard requests the Commission, without prejudice to the decisions adopted at its eleventh session, to contribute through the Council to the high-level plenary meeting of the General Assembly in 2005, in accordance with the modalities to be set out by the Assembly at its fifty-ninth session;

16. *Requests* the secretariat of the Commission to make arrangements to facilitate the balanced representation of major groups from developed and developing countries in the sessions of the Commission;

17. *Notes* the convening of the second international expert meeting on a ten-year framework of programmes for sustainable consumption and production, to be held in Costa Rica in September 2005, and in this regard, while acknowledging their ongoing support, urges Member States to consider further support for those activities;

18. *Encourages* Governments and organizations at all levels, as well as major groups, including the scientific community and educators, to undertake results-oriented initiatives and activities to support the work of the Commission and to promote and facilitate the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, including through voluntary multi-stakeholder partnership initiatives;

19. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development", and requests the Secretary-General, at that session, to submit a report on the implementation of the present resolution.

RESOLUTION 59/228

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.1, para. 13)[110]

59/228. Activities undertaken during the International Year of Freshwater, 2003, preparations for the International Decade for Action, "Water for Life", 2005–2015, and further efforts to achieve the sustainable development of water resources

The General Assembly,

Recalling its resolution 55/196 of 20 December 2000, by which it proclaimed 2003 the International Year of Freshwater, and its resolution 58/217 of 23 December 2003, by which it proclaimed that the International Decade for Action, "Water for Life", 2005–2015, would commence on World Water Day, 22 March 2005,

Emphasizing that water is critical for sustainable development, including environmental integrity and the eradication of poverty and hunger, and is indispensable for human health and well-being,

Recalling the provisions of Agenda 21,[111] the Programme for the Further Implementation of Agenda 21 adopted at its nineteenth special session,[112] the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation")[113] and the decisions of the Economic and Social Council and of the Commission on Sustainable Development at its sixth session[114] relating to freshwater,

Reaffirming the internationally agreed development goals on water and sanitation, including those contained in the United Nations Millennium Declaration,[115] and determined to achieve the goal to halve, by 2015, the proportion of people who are unable to reach or to afford safe drinking water, and the goals set out in the Johannesburg Plan of Implementation to halve the proportion of people without access to basic sanitation as well as to develop integrated water resources management and water efficiency plans by 2005, with support to developing countries,

Taking note of the Ministerial Declaration, entitled "Message from the Lake Biwa and Yodo River Basin", adopted on 23 March 2003 at the Ministerial Conference of the Third World Water Forum, held in Kyoto, Japan,[116] and the Dushanbe Water Appeal, proclaimed on 1 September 2003 at the International Freshwater Forum, held in Dushanbe from 29 August to 1 September 2003,[117]

Noting that the Fourth World Water Forum will take place in Mexico in March 2006,

Taking note with interest of the establishment of the Advisory Board on Water and Sanitation by the Secretary-General,[118] and looking forward to its contribution to the mobilization of efforts and resources towards the implementation of the commitments, goals and targets agreed upon in those areas,

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[110] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[111] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[112] Resolution S-19/2, annex.

[113] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[114] See *Official Records of the Economic and Social Council, 1998, Supplement No. 9* (E/1998/29).

[115] See resolution 55/2.

[116] A/57/785, annex.

[117] A/58/362, annex.

[118] See A/59/167, para. 42.

1. *Takes note* of the report of the Secretary-General;[119]

2. *Welcomes* the activities related to freshwater undertaken by Member States, the United Nations Secretariat and the organizations of the United Nations system, inter alia, through inter-agency work, as well as contributions from major groups, for the observance of the International Year of Freshwater, 2003;

3. *Encourages* Member States, the Secretariat, organizations of the United Nations system and major groups to continue their efforts to achieve the internationally agreed water-related goals contained in Agenda 21,[111] the Programme for the Further Implementation of Agenda 21,[112] the United Nations Millennium Declaration[115] and the Johannesburg Plan of Implementation;[113]

4. *Welcomes* the work of the twelfth session of the Commission on Sustainable Development, and looks forward to the upcoming thirteenth session of the Commission on the thematic cluster of issues on water, sanitation and human settlements;

5. *Invites* the Secretary-General to take appropriate actions in organizing the activities of the International Decade for Action, "Water for Life", 2005–2015, taking into account the results of the International Year of Freshwater and the work of the Commission on Sustainable Development at its twelfth and thirteenth sessions;

6. *Calls upon* the relevant United Nations bodies, the specialized agencies, regional commissions and other organizations of the United Nations system to step up their efforts to deliver a coordinated response in order to make the Decade a decade of delivering promises through the use of existing resources and voluntary funds;

7. *Notes with interest* the partnership initiatives on water and sanitation undertaken within the framework of the World Summit on Sustainable Development and in the follow-up to the Summit and in accordance with the criteria and guidelines adopted by the Commission on Sustainable Development at its eleventh session;[120]

8. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution, as well as on the activities planned by the Secretary-General and other relevant organizations of the United Nations system for the Decade;

9. *Decides* to consider, at its sixtieth session, the future arrangements for the review of the implementation of the Decade, including the possibility of a review on a biennial or triennial basis or a mid-term review.

RESOLUTION 59/229

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.2, para. 16)[121]

59/229. Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

The General Assembly,

Recalling the Declaration of Barbados[122] and the Programme of Action for the Sustainable Development of Small Island Developing States,[123] adopted by the Global Conference on the Sustainable Development of Small Island Developing States, and recalling also its resolution 49/122 of 19 December 1994 on the Global Conference,

Recalling also its resolutions 58/213 A of 23 December 2003 and 58/213 B of 10 June 2004,

Recalling with appreciation the offer by the Government of Mauritius to host the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,

Welcoming the preparatory activities undertaken at the national, regional and international levels for the International Meeting,

1. *Recalls* its decision, in resolution 58/213 B, to convene the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States from 10 to 14 January 2005;

2. *Decides* to hold two days of informal consultations in Mauritius, on 8 and 9 January 2005, to facilitate the effective preparation of the International Meeting;

3. *Urges* that representation and participation at the International Meeting be at the highest possible level;

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[119] A/59/167.

[120] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29).

[121] The draft resolution recommended in the report was submitted by the Vice-Chairperson of the Committee.

[122] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex I.

[123] Ibid., annex II.

4. *Takes note* of the report of the Commission on Sustainable Development, acting as the preparatory meeting for the International Meeting;[124]

5. *Expresses its appreciation* for the contributions made to the voluntary trust fund established for the purpose of assisting small island developing States to participate fully and effectively in the International Meeting and its preparatory process, as approved by the Economic and Social Council in its resolution 2003/55 and decision 2003/283,[125] and urges all Member States and organizations to contribute generously to the fund;

6. *Decides* that non-governmental organizations whose work is relevant to the subject of the International Meeting, which are not currently accredited to the Economic and Social Council and which submitted applications to participate as observers in the International Meeting by 31 October 2004, may participate as observers in the International Meeting, subject to the approval of the General Assembly at its fifty-ninth session, and in this regard recalls that the participation of major groups, including non-governmental organizations, in the International Meeting shall be in accordance with rule 65 of the provisional rules of procedure of the International Meeting;[126]

7. *Stresses* that strengthening of the Small Island Developing States Unit of the Department of Economic and Social Affairs of the Secretariat has yet to take place, and in this regard reiterates its request to the Secretary-General, made in General Assembly resolution 57/262 of 20 December 2002 and resolution 58/213 A, to strengthen the Unit without delay and, within existing resources, to enable the Unit, including the Small Island Developing States Network, to undertake its broad range of mandated functions with a view to facilitating the full and effective implementation of the Declaration of Barbados[122] and the Programme of Action for the Sustainable Development of Small Island Developing States[123] and the outcomes of the International Meeting;

8. *Invites* the International Meeting to consider fully the modalities for strengthening the Small Island Developing States Unit, including the Small Island Developing States Network, to enable it to assist effectively in the implementation of the outcomes of the International Meeting;

9. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session the report of the International Meeting, and decides to include in the provisional agenda of its sixtieth session, under the item entitled "Sustainable development", a sub-item entitled "Further implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States and follow-up to the outcomes of the International Meeting to Review the Implementation of the Barbados Programme of Action".

RESOLUTION 59/230

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.2, para. 16)[127]

59/230. Promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development

The General Assembly,

Reaffirming the principles and commitments enshrined in the Rio Declaration on Environment and Development[128] and the principles embodied in the Declaration of Barbados[129] and the Programme of Action for the Sustainable Development of Small Island Developing States,[130] as well as other relevant declarations and international instruments,

Recalling the Declaration and review document adopted by the General Assembly at its twenty-second special session,[131]

Taking into account all other relevant General Assembly resolutions, including resolutions 54/225 of 22 December 1999, 55/203 of 20 December 2000 and 57/261 of 20 December 2002,

Taking into account also the Johannesburg Declaration on Sustainable Development[132] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[133]

Noting with interest the respective partnership initiatives voluntarily undertaken by Governments, international organizations and major groups and announced at the Summit,

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[124] A/CONF.207/3.

[125] See also A/C.2/58/4.

[126] A/58/567 and Corr.1.

[127] The draft resolution recommended in the report was submitted by the Vice-Chairperson of the Committee.

[128] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales. No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex I.

[129] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex I.

[130] Ibid., annex II.

[131] See resolution S-22/2, annex.

[132] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[133] Ibid., resolution 2, annex.

Reaffirming the United Nations Convention on the Law of the Sea,[134] which provides the overall legal framework for ocean activities, and emphasizing its fundamental character, conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Emphasizing the importance of national, regional and global action and cooperation in the marine sector as recognized by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[135]

Recalling the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, signed at Cartagena de Indias, Colombia, on 24 March 1983,[136] which contains the definition of the wider Caribbean region of which the Caribbean Sea is part,

Welcoming the adoption, on 6 October 1999 in Aruba, of the Protocol Concerning Pollution from Land-based Sources and Activities[137] to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region,

Welcoming also the entry into force, on 18 June 2000, of the Protocol Concerning Specially Protected Areas and Wildlife[137] to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region and the establishment by the United Nations Environment Programme of the Regional Activities Centre in Guadaloupe to assist in the implementation of the Protocol,

Recalling the relevant work done by the International Maritime Organization,

Considering that the Caribbean Sea area includes a large number of States, countries and territories, most of which are developing countries and small island developing States that are ecologically fragile, structurally weak and economically vulnerable and are also affected, inter alia, by their limited capacity, narrow resource base, need for financial resources, high levels of poverty and the resulting social problems and the challenges and opportunities of globalization and trade liberalization,

Recognizing that the Caribbean Sea has a unique biodiversity and highly fragile ecosystem,

Emphasizing that the Caribbean countries have a high degree of vulnerability occasioned by climate change, climate variability and associated phenomena, such as the rise in sea level, the El Niño phenomenon and the increase in the frequency and intensity of natural disasters caused by hurricanes, floods and droughts, and that they are also subject to natural disasters, such as those caused by volcanoes, tsunamis and earthquakes,

Expressing deep concern over the severe destruction and devastation caused to several countries by heightened hurricane activity in the Caribbean region in 2004,

Recognizing national and regional efforts to undertake disaster preparedness, response and mitigation efforts to minimize the impact of natural disasters, and reiterating the responsibility of all States in that regard,

Bearing in mind the heavy reliance of most of the Caribbean economies on their coastal areas, as well as on the marine environment in general, to achieve their sustainable development needs and goals,

Recognizing the Caribbean Environment Outlook process currently being undertaken by the United Nations Environment Programme, and welcoming the support being provided by the Caribbean Environment Programme of the United Nations Environment Programme towards its implementation,

Acknowledging that the intensive use of the Caribbean Sea for maritime transport, as well as the considerable number and interlocking character of the maritime areas under national jurisdiction where Caribbean countries exercise their rights and duties under international law, present a challenge for the effective management of the resources,

Noting the problem of marine pollution caused, inter alia, by land-based sources and the continuing threat of pollution from ship-generated waste and sewage, as well as from the accidental release of hazardous and noxious substances in the Caribbean Sea area,

Taking note of the relevant resolutions of the General Conference of the International Atomic Energy Agency on safety of transport of radioactive materials,

Mindful of the diversity and dynamic interaction and competition among socio-economic activities for the use of the coastal areas and the marine environment and their resources,

Mindful also of the efforts of the Caribbean countries to address in a more holistic manner the sectoral issues relating to the management of the Caribbean Sea area and, in so doing, to promote an integrated management approach to the Caribbean Sea area in the context of sustainable development, through a regional cooperative effort among Caribbean countries,

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[134] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

[135] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[136] United Nations, *Treaty Series*, vol. 1506, No. 25974.

[137] Available from www.cep.unep.org.

Noting the importance of the ongoing work of the Working Group on climate change and disaster risk reduction, established by the Inter-Agency Task Force for Disaster Reduction,

Noting also the efforts of the Caribbean countries, within the framework of the Association of Caribbean States, to develop further support for their concept of the Caribbean Sea as an area of special importance, in the context of sustainable development and in conformity with the United Nations Convention on the Law of the Sea,

Welcoming the decision by the Association of Caribbean States to establish the Technical Advisory Group to further advance the Caribbean Sea Initiative and the implementation of resolutions 55/203 and 57/261, inter alia, through the preparation of a technical report,

Cognizant of the importance of the Caribbean Sea to present and future generations and to the heritage and the continuing economic well-being and sustenance of people living in the area, and the urgent need for the countries of the region to take appropriate steps for its preservation and protection, with the support of the international community,

1. *Takes note* of the report of the Secretary-General;[138]

2. *Takes note also* of the report of the Association of Caribbean States,[139] pursuant to General Assembly resolution 57/261;

3. *Recognizes* the importance of adopting an integrated management approach to the Caribbean Sea area in the context of sustainable development;

4. *Encourages* the further promotion of an integrated management approach to the Caribbean Sea area in the context of sustainable development, in accordance with the recommendations contained in resolution 54/225, as well as the provisions of Agenda 21,[129] the Programme of Action for the Sustainable Development of Small Island Developing States,[130] the outcome of the twenty-second special session of the General Assembly,[131] the Johannesburg Declaration on Sustainable Development,[132] the Johannesburg Plan of Implementation[133] and the work of the Commission on Sustainable Development, and in conformity with relevant international law, including the United Nations Convention on the Law of the Sea;[134]

5. *Also encourages* the continued efforts of the Caribbean countries to develop further an integrated management approach to the Caribbean Sea area in the context of sustainable development and, in this regard, to continue to develop regional cooperation in the management of their ocean affairs in the context of sustainable development, in order to address such issues as land-based pollution, pollution from ships, physical impacts on coral reefs and the diversity and dynamic interaction of, and competition among, socio-economic activities for the use of the coastal areas and the marine environment and their resources;

6. *Welcomes* the wide range of activities being implemented within the scope of the mandate of resolution 57/261, with a view to promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development;

7. *Recognizes* the efforts of Caribbean countries to create conditions leading to sustainable development aimed at combating poverty and inequality, and in this regard notes with interest the initiatives of the Association of Caribbean States in the focal areas of sustainable tourism, trade, transport and natural disasters;

8. *Calls upon* States to continue to prioritize action on marine pollution from land-based sources as part of their national sustainable development strategies and programmes, in an integrated and inclusive manner, and also calls upon them to advance the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities[140] and the Montreal Declaration on the Protection of the Marine Environment from Land-based Activities;[141]

9. *Calls upon* the United Nations system and the international community to assist, as appropriate, Caribbean countries and their regional organizations in their efforts to ensure the protection of the Caribbean Sea from degradation as a result of pollution from ships, in particular through the illegal release of oil and other harmful substances, and from illegal dumping or accidental release of hazardous waste, including radioactive materials, nuclear waste and dangerous chemicals, in violation of relevant international rules and standards, as well as pollution from land-based activities;

10. *Calls upon* all relevant States to take the necessary steps to bring into force, and to support the implementation of, the Protocol Concerning Pollution from Land-based Sources and Activities[137] to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region[136] in order to protect the marine environment of the Caribbean Sea from land-based pollution and degradation;

11. *Calls upon* the international community to continue to support the efforts of the Association of Caribbean States to further implement resolutions 55/203 and 57/261, and invites the Association to submit a report on its progress to the

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[138] A/59/173.

[139] Ibid., annex.

[140] A/51/116, annex II.

[141] E/CN.17/2002/PC.2/15, annex, sect. 1.

Secretary-General for consideration during the sixty-first session of the General Assembly;

12. *Calls upon* all States to become contracting parties to relevant international agreements to enhance maritime safety and promote the protection of the marine environment of the Caribbean Sea from pollution, damage and degradation from ships and ship-generated waste;

13. *Supports* the efforts of Caribbean countries to implement sustainable fisheries management programmes by strengthening the Caribbean Regional Fisheries Mechanism;

14. *Calls upon* States, taking into consideration the Convention on Biological Diversity,[142] to develop national, regional and international programmes for halting the loss of marine biodiversity in the Caribbean Sea, in particular fragile ecosystems, such as coral reefs;

15. *Invites* intergovernmental organizations within the United Nations system to continue their efforts to assist Caribbean countries in becoming parties to the relevant conventions and protocols and in implementing them effectively;

16. *Calls upon* the international community, the United Nations system and the multilateral financial institutions, and invites the Global Environment Facility, within its mandate, to support actively national and regional activities towards the above-mentioned approach;

17. *Urges* the United Nations system and the international community to continue to provide aid and assistance to the countries of the Caribbean region in the implementation of their long-term programmes of disaster prevention, preparedness, mitigation, management, relief and recovery, based on their development priorities, through the integration of relief, rehabilitation and reconstruction into a comprehensive approach to sustainable development;

18. *Calls upon* Member States to improve as a matter of priority their emergency response capabilities and the containment of environmental damage, particularly in the Caribbean Sea, in the event of natural disasters or of an accident or incident relating to maritime navigation;

19. *Requests* the Secretary-General to report to it at its sixty-first session, under the sub-item entitled "Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States" of the item entitled "Sustainable development", on the implementation of the present resolution, taking into account the views expressed by relevant regional organizations.

RESOLUTION 59/231

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.3, para. 16)[143]

59/231. International Strategy for Disaster Reduction

The General Assembly,

Recalling its resolutions 44/236 of 22 December 1989, 49/22 A of 2 December 1994, 49/22 B of 20 December 1994, 53/185 of 15 December 1998, 54/219 of 22 December 1999, 56/195 of 21 December 2001, 57/256 of 20 December 2002 and 58/214 of 23 December 2003 and Economic and Social Council resolutions 1999/63 of 30 July 1999 and 2001/35 of 26 July 2001, and taking into due consideration its resolution 57/270 B of 23 June 2003 on integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Recalling also the inclusion of the item entitled "Disaster management and vulnerability" in the multi-year programme of work of the Commission on Sustainable Development,[144]

Reiterating that, although natural disasters damage the social and economic infrastructure of all countries, the long-term consequences of natural disasters are especially severe for developing countries and hamper the achievement of their sustainable development,

Recognizing the urgent need to further develop and make use of the existing scientific and technical knowledge to build resilience to natural disasters, and emphasizing the need for developing countries to have access to technology so as to tackle natural disasters effectively,

Expressing its deep concern at the number and scale of natural disasters and their increasing impact within recent years, which have resulted in massive loss of life and long-term negative social, economic and environmental consequences for vulnerable societies throughout the world, in particular in developing countries,

Recognizing the need to continue to develop an understanding of, and to address, socio-economic activities that exacerbate the vulnerability of societies to natural disasters and to build and further strengthen community capability to cope with disaster risks,

Emphasizing that disaster reduction, including reducing vulnerability to natural disasters, is an important element that contributes to the achievement of sustainable development,

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[142] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[143] The draft resolution recommended in the report was submitted by the Vice-Chairperson of the Committee.

[144] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap. I, sect. A.

Stressing the importance of advancing the implementation of the Plan of Implementation of the World Summit on Sustainable Development,[145] and its relevant provisions on vulnerability, risk assessment and disaster management,

Noting the ongoing work of all the working groups established by the Inter-Agency Task Force for Disaster Reduction, namely the Working Group on Climate Change and Disaster Risk Reduction, the Working Group on Disaster Reduction in Africa, the Working Group on Risk, Vulnerability and Disaster Impact Assessment and the Working Group on the World Conference on Disaster Reduction,

1. *Takes note* of the report of the Secretary-General on the implementation of the International Strategy for Disaster Reduction;[146]

2. *Invites* Governments and relevant international organizations to consider disaster risk assessment as an integral component of development plans and poverty eradication programmes;

3. *Welcomes* the work of the ongoing preparatory process for the World Conference on Disaster Reduction, to be held in Kobe, Japan, from 18 to 22 January 2005;

4. *Notes with appreciation* the generous pledge made by the Government of Japan to cover costs of the World Conference, and welcomes the voluntary contributions already made to facilitate the participation of representatives of developing countries, in particular the least developed countries, in that event, and invites those States that have not yet done so to make such voluntary contributions;

5. *Reiterates its invitation* to Member States, all United Nations bodies and the specialized agencies and other relevant intergovernmental agencies and organizations, in particular the members of the Inter-Agency Task Force for Disaster Reduction, to participate actively in the World Conference;

6. *Encourages* major groups, as identified in Agenda 21,[147] to contribute further to and actively participate in the World Conference, according to the rules of procedure agreed upon by its Preparatory Committee;

7. *Stresses* the importance of close cooperation and coordination between the relevant institutions, in particular within the United Nations system and with other relevant international organizations, in both the preparation of and follow-up to the World Conference, within their mandate and taking into account their comparative advantages and the need to avoid any duplication of work;

8. *Also stresses* that continued cooperation and coordination among Governments, the United Nations system, other organizations, regional organizations, non-governmental organizations and other partners, as appropriate, are considered essential to address effectively the impact of natural disasters;

9. *Recognizes* the importance of linking disaster risk management with regional frameworks, as appropriate, such as with the New Partnership for Africa's Development,[148] to address issues of poverty eradication and sustainable development;

10. *Also recognizes* the importance of integrating a gender perspective as well as of engaging women in the design and implementation of all phases of disaster management, particularly in the disaster reduction stage;

11. *Stresses* the importance of identifying, assessing and managing risks prior to the occurrence of disasters, for which it is necessary to combine the efforts at all levels of the development, humanitarian, scientific and environmental communities, as well as the importance of integrating disaster reduction, as appropriate, into development plans and poverty eradication programmes;

12. *Also stresses* the need to foster better understanding and knowledge of the causes of disasters, as well as to build and strengthen coping capacities through, inter alia, the transfer and exchange of experiences and technical knowledge, access to relevant data and information and the strengthening of institutional arrangements, including community-based organizations;

13. *Recognizes* the importance of early warning as an essential element of disaster reduction, recommends the implementation of the outcome of the Second International Conference on Early Warning, held in Bonn, Germany, from 16 to 18 October 2003, and takes note of further work done in this regard, including the establishment of the Platform for the Promotion of Early Warning[149] in Bonn;

14. *Calls upon* Governments to establish national platforms or focal points for disaster reduction, encourages the platforms to share relevant information on standards and practices, encourages Governments to strengthen platforms where they already exist, urges the United Nations system to provide appropriate support for those mechanisms, and invites the Secretary-General to strengthen the regional outreach of the inter-agency secretariat for the International Strategy for Disaster Reduction in order to ensure such support;

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[145] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[146] A/59/228.

[147] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[148] A/57/304, annex.

[149] A/CONF.206/PC(II)/4, para. 14 (ix).

15. *Requests* the Under-Secretary-General for Humanitarian Affairs, in his capacity as Chairman of the Inter-Agency Task Force for Disaster Reduction, to continue reviewing annually the work carried out by its working groups in order to ensure their effective contribution to the attainment of the objectives of the Strategy;

16. *Expresses its appreciation* to those countries that have provided financial support for the activities of the Strategy by making voluntary contributions to the Trust Fund for the International Strategy for Disaster Reduction;

17. *Encourages* the international community to provide the necessary financial resources to the Trust Fund for the Strategy and to provide the necessary scientific, technical, human and other resources to ensure adequate support for the activities of the inter-agency secretariat for the Strategy and the Inter-Agency Task Force for Disaster Reduction and its working groups;

18. *Requests* the Secretary-General to allocate adequate financial and administrative resources, within existing resources, for the effective functioning of the inter-agency secretariat for the Strategy;

19. *Also requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution, in particular on the outcome of the World Conference on Disaster Reduction, under the item entitled "Sustainable development".

RESOLUTION 59/232

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.3, para. 16)[150]

59/232. International cooperation to reduce the impact of the El Niño phenomenon

The General Assembly,

Recalling its resolutions 52/200 of 18 December 1997, 53/185 of 15 December 1998, 54/220 of 22 December 1999, 55/197 of 20 December 2000, 56/194 of 21 December 2001 and 57/255 of 20 December 2002 and Economic and Social Council resolutions 1999/46 of 28 July 1999, 1999/63 of 30 July 1999 and 2000/33 of 28 July 2000,

Noting that the El Niño phenomenon has a recurring character and that it can lead to extensive natural hazards with the potential to seriously affect humankind,

Reaffirming the importance of developing strategies at the national, subregional, regional and international levels that aim to prevent, mitigate and repair the damage caused by natural disasters that result from the El Niño phenomenon,

Noting that technological developments and international cooperation have enhanced the capabilities for the prediction of the El Niño phenomenon and thereby the potential for the preventive actions that may be taken to reduce its negative impacts,

Taking into account the Johannesburg Declaration on Sustainable Development[151] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[152] in particular paragraph 37 (*i*) thereof,

1. *Takes note* of the report of the Secretary-General on the implementation of the International Strategy for Disaster Reduction,[153] in particular the section entitled "International cooperation to reduce the impact of the El Niño phenomenon";

2. *Welcomes* the efforts of the Government of Ecuador, the World Meteorological Organization and the inter-agency secretariat for the International Strategy for Disaster Reduction which led to the establishment of the International Centre for the Study of the El Niño Phenomenon at Guayaquil, Ecuador, and to its opening in February 2003, and encourages those parties to continue their efforts for the advancement of the Centre;

3. *Calls upon* the Secretary-General and the relevant United Nations organs, funds and programmes, in particular those taking part in the International Strategy for Disaster Reduction, encourages the international community to adopt, as appropriate, the necessary measures to support the development of the International Centre for the Study of the El Niño Phenomenon, and invites the international community to provide scientific, technical and financial assistance and cooperation for this purpose, as well as to strengthen, as appropriate, other centres devoted to the study of the El Niño phenomenon;

4. *Encourages* the Centre to strengthen its links, as appropriate, with national meteorological and hydrological services of the Latin American region, the Permanent Commission for the South Pacific, the Inter-American Institute for Global Change Research and the International Research Institute for Climate Prediction, as well as with other relevant regional and global organizations that study climate, such as the European Centre for Medium-Range Weather Forecasts, the African Centre of Meteorological Applications for Development, the Drought Monitoring Centre and the Asia-Pacific Network for Global Change Research, and other

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[150] The draft resolution recommended in the report was submitted by the Vice-Chairperson of the Committee.

[151] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[152] Ibid., resolution 2, annex.

[153] A/59/228.

relevant centres, as appropriate, in order to ensure the effective and efficient use of the available resources;

5. *Underscores* the importance of maintaining the El Niño/Southern Oscillation observation system, continuing research into extreme weather events, improving forecasting skills and developing appropriate policies for reducing the impact of the El Niño phenomenon and other extreme weather events and emphasizes the need to further develop and strengthen these institutional capacities in all countries, in particular in developing countries;

6. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the implementation of the present resolution, under the item entitled "Sustainable development".

RESOLUTION 59/233

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.3, para. 16)[154]

59/233. Natural disasters and vulnerability

The General Assembly,

Recalling its decision 57/547 of 20 December 2002 and its resolution 58/215 of 23 December 2003,

Taking into account the Johannesburg Declaration on Sustainable Development[155] and the Plan of Implementation of the World Summit on Sustainable Development,[156] adopted by the World Summit, held in Johannesburg, South Africa, from 26 August to 4 September 2002,

Recognizing the need to continue to develop an understanding of, and to address, socio-economic activities that exacerbate the vulnerability of societies to natural disasters, to build and further strengthen community capacity to cope with disaster risks and to enhance resilience against hazards associated with disasters,

Noting that the global environment continues to suffer degradation, adding to economic and social vulnerabilities, in particular in developing countries,

Taking into account the various ways and forms in which all countries, in particular the more vulnerable countries, are affected by severe natural hazards such as earthquakes and volcanic eruptions and extreme weather events such as heat waves, severe droughts, floods and storms, and the El Niño/La Niña events, which have global reach,

Recognizing that the impact of natural disasters upon vulnerable countries is, among others, a significant obstacle to the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[157] in particular those relating to poverty eradication and environmental sustainability,

Expressing deep concern at the recent increases in the frequency and intensity of extreme weather events and associated natural disasters in some regions of the world and their substantial economic, social and environmental impacts, in particular upon developing countries in those regions,

Taking into account that extreme weather events and associated natural disasters and their reduction must be dealt with in a coherent and effective manner,

Expressing deep concern at the increasing negative impact of severe natural hazards, including earthquakes, extreme weather events and associated natural disasters, which continues to hinder social and economic progress, in particular in developing countries,

Stressing the need to develop and implement risk-reduction strategies, including disaster preparedness, mitigation and early warning systems at all levels, and to integrate them, where appropriate, into national development plans, in particular through the implementation of the International Strategy for Disaster Reduction, so as to enhance the resilience of populations to disasters and reduce the risks to them, their livelihoods, the social and economic infrastructure and environmental resources,

Recognizing that the development of stronger institutions, mechanisms and capacities, including at the community level, that can systematically build resilience to hazards and disasters is essential to reducing the risks and vulnerability of populations to disasters,

Noting the need for international cooperation to increase the capacity of countries to respond to the negative impacts of all natural hazards, including earthquakes, extreme weather events and associated natural disasters, particularly in developing countries,

1. *Takes note* of the report of the Secretary-General on the implementation of the International Strategy for Disaster Reduction,[158] in particular section II, on natural disasters and vulnerability;

2. *Urges* the international community to continue to address ways and means, including through cooperation and

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[154] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[155] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[156] Ibid., resolution 2, annex.

[157] See resolution 55/2.

[158] A/59/228.

technical assistance, to reduce the adverse effects of natural disasters, including those caused by extreme weather events, in particular in vulnerable developing countries, through the implementation of the International Strategy for Disaster Reduction, and encourages the Inter-Agency Task Force for Disaster Reduction to continue its work in this regard;

3. *Stresses* the importance for the World Conference on Disaster Reduction to conclude the review of the Yokohama Strategy for a Safer World: Guidelines for Natural Disaster Prevention, Preparedness and Mitigation and its Plan of Action,[159] with a view to updating the guiding framework on disaster reduction for the twenty-first century, and to identify specific activities aimed at ensuring the implementation of relevant provisions of the Plan of Implementation of the World Summit on Sustainable Development[156] on vulnerability, risk assessment and disaster management, bearing in mind the vital importance of addressing the adverse effects of natural disasters in efforts to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[157]

4. *Emphasizes* that the World Conference on Disaster Reduction should, within its mandate as set out in General Assembly resolution 58/214 of 23 December 2003, make concrete recommendations to reduce the risks and vulnerabilities of all countries, in particular developing countries, in relation to disasters, including through the provision of technical and financial assistance, as well as through the strengthening of International Strategy for Disaster Reduction national platforms for disaster reduction or the establishment of institutional mechanisms, including at the regional level, where appropriate;

5. *Encourages* Governments, through their respective International Strategy for Disaster Reduction national platforms and national focal points for disaster reduction, in cooperation with the United Nations system and other stakeholders, to strengthen capacity-building in the most vulnerable regions, to enable them to address the socio-economic factors that increase vulnerability, and to develop measures that will enable them to prepare for and cope with natural disasters, including those associated with earthquakes and extreme weather events, and encourages the international community to provide effective assistance to developing countries in this regard;

6. *Also encourages* the Inter-Agency Task Force for Disaster Reduction to continue to enhance the coordination of activities to promote disaster reduction and to make available to the relevant United Nations entities information on options for natural disaster reduction, including severe natural hazards and extreme weather-related disasters and vulnerabilities;

7. *Stresses* the importance of close cooperation and coordination among Governments, the United Nations system, other organizations, regional organizations, non-governmental organizations and other partners as appropriate, taking into account the need for the development of disaster management strategies, including the effective establishment of early warning systems, where appropriate, while taking advantage of all available resources and expertise for that purpose;

8. *Encourages* the Conference of the Parties to the United Nations Framework Convention on Climate Change[160] and the parties to the Kyoto Protocol to the United Nations Framework Convention on Climate Change[161] to continue to address the adverse effects of climate change, especially in developing countries that are particularly vulnerable, in accordance with the provisions of the Convention, and also encourages the Intergovernmental Panel on Climate Change to continue to assess the adverse effects of climate change on the socio-economic and natural disaster reduction systems of developing countries;

9. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution in a separate section of his report on the implementation of the International Strategy for Disaster Reduction, and decides to consider the issue of natural disasters and vulnerability at that session, under the sub-item entitled "International Strategy for Disaster Reduction" of the item entitled "Sustainable development".

RESOLUTION 59/234

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.4, para. 7)[162]

59/234. Protection of global climate for present and future generations of mankind

The General Assembly,

Recalling its resolution 54/222 of 22 December 1999, its decision 55/443 of 20 December 2000 and its resolutions 56/199 of 21 December 2001, 57/257 of 20 December 2002 and 58/243 of 23 December 2003 and other resolutions relating to the protection of the global climate for present and future generations of mankind,

Recalling also the provisions of the United Nations Framework Convention on Climate Change,[163] including the acknowledgement that the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,

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[159] A/CONF.172/9, chap. I, resolution 1, annex I.

[160] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[161] FCCC/CP/1997/7/Add.1, decision 1/CP.3, annex.

[162] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[163] United Nations, *Treaty Series*, vol. 1771, No. 30822.

Recalling further the Johannesburg Declaration on Sustainable Development,[164] the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[165] the Delhi Ministerial Declaration on Climate Change and Sustainable Development, adopted by the Conference of the Parties to the United Nations Framework Convention on Climate Change at its eighth session, held in New Delhi from 23 October to 1 November 2002,[166] and the outcome of the ninth session of the Conference of the Parties held in Milan, Italy, from 1 to 12 December 2003,[167]

Noting the review of the Programme of Action for the Sustainable Development of Small Island Developing States,[168]

Remaining deeply concerned that all countries, in particular developing countries, including the least developed countries and small island developing States, face increased risks from the negative impacts of climate change,

Noting that one hundred and eighty-nine States and one regional economic integration organization have ratified the Convention,

Noting also that, to date, the Kyoto Protocol to the United Nations Framework Convention on Climate Change[169] has attracted one hundred and twenty-eight ratifications, including from parties mentioned in annex I to the Convention, which account for 61.6 per cent of emissions,

Noting further the work of the Intergovernmental Panel on Climate Change and the need to build and enhance scientific and technological capabilities, inter alia, through continuing support to the Panel for the exchange of scientific data and information, especially in developing countries,

Recalling the United Nations Millennium Declaration,[170] in which Heads of State and Government resolved to make every effort to ensure the entry into force of the Kyoto Protocol, preferably by the tenth anniversary of the United Nations Conference on Environment and Development in 2002, and to embark on the required reduction in emissions of greenhouse gases,[171]

Taking note of the report of the Executive Secretary of the United Nations Framework Convention on Climate Change on the work of the Conference of the Parties to the Convention,[172]

1. *Calls upon* States to work cooperatively towards achieving the ultimate objective of the United Nations Framework Convention on Climate Change;[163]

2. *Notes* that States that have ratified the Kyoto Protocol to the United Nations Framework Convention on Climate Change[169] strongly urge States that have not yet done so to ratify it in a timely manner;

3. *Notes also* that States that have ratified the Kyoto Protocol welcome its ratification by the Russian Federation, which satisfies the requirements for the Kyoto Protocol to enter into force;

4. *Encourages* States that have ratified the Kyoto Protocol to continue their preparations for its entry into force;

5. *Notes with interest* the preparations undertaken for the implementation of the flexible mechanisms established by the Kyoto Protocol;

6. *Takes note* of the decisions adopted by the Conference of the Parties at its ninth session,[167] and calls for their implementation;

7. *Notes* the ongoing work of the liaison group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[173] and the Convention on Biological Diversity,[174] and encourages cooperation to promote complementarities among the three secretariats while respecting their independent legal status;

8. *Invites* the Executive Secretary of the United Nations Framework Convention on Climate Change to report to the General Assembly at its sixtieth session on the work of the Conference of the Parties;

9. *Invites* the conferences of the parties to the multilateral environmental conventions, when setting the dates of their meetings, to take into consideration the schedule of meetings of the General Assembly and the Commission on Sustainable Development so as to ensure the adequate representation of developing countries at those meetings;

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[164] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[165] Ibid., resolution 2, annex.

[166] FCCC/CP/2002/7/Add.1, decision 1/CP.8.

[167] FCCC/CP/2003/6/Add.1 and 2.

[168] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April-6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex II.

[169] FCCC/CP/1997/7/Add.1, decision 1/CP.3, annex.

[170] See resolution 55/2.

[171] Ibid., para. 23.

[172] A/59/197, sect. I.

[173] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[174] Ibid., vol. 1760, No. 30619.

10. *Decides* to include in the provisional agenda of its sixtieth session the sub-item entitled "Protection of global climate for present and future generations of mankind".

RESOLUTION 59/235

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.5, para. 6)[175]

59/235. Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa

The General Assembly,

Recalling its resolution 58/242 of 23 December 2003 and other resolutions relating to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[176]

Recalling also its resolution 58/211 of 23 December 2003, in which it declared 2006 the International Year of Deserts and Desertification,

Reaffirming that desertification constitutes a serious obstacle to sustainable development and contributes to food insecurity, famine and poverty, which are factors that can give rise to social, economic and political tensions, including forced migration and conflicts, and that the Convention is an important tool for poverty eradication,

Reaffirming also the universal membership of the Convention, and acknowledging that desertification and drought are problems of a global dimension in that they affect all regions of the world,

Noting that timely and effective implementation of the Convention would help to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[177]

Emphasizing the need for the provision of adequate resources for the focal area of land degradation, primarily desertification and deforestation, of the Global Environment Facility,

Stressing the need for further diversification of funding sources to address land degradation, in accordance with articles 20 and 21 of the Convention,

1. *Takes note* of the note by the Secretary-General;[178]

2. *Stresses* the importance of the implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[176] for meeting the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[177] and in this regard invites all Governments to take further measures to strengthen the implementation of the Convention;

3. *Invites* the Secretary-General to give due consideration to the role and place of the Convention in ongoing work in the context of the preparations for the high-level plenary meeting of the General Assembly in 2005, including the report of the Millennium Project;

4. *Invites* the Global Environment Facility to strengthen the focal area of land degradation, primarily desertification and deforestation;

5. *Takes note with interest* of ongoing efforts to diversify the availability of financial resources to support activities aimed at combating desertification and poverty;

6. *Invites* the donor community to increase its support to the Convention with a view to bringing greater international attention to bear on the issue of land degradation and desertification, which will contribute to the improvement of the sustainable development of drylands and the global environment;

7. *Invites* the secretariat of the Global Environment Facility and the secretariat of the Convention to finalize the draft memorandum of understanding in an expeditious way and to submit it, as mandated by Conference of the Parties decision 6/COP.6 of 3 September 2003,[179] for the consideration of and adoption by the Conference of the Parties to the Convention and the Council of the Global Environment Facility;

8. *Takes note* of Conference of the Parties decision 23/COP.6 of 5 September 2003 on the programme and budget for the biennium 2004–2005,[179] as an ongoing process of the Conference of the Parties to undertake a comprehensive review of the activities of the secretariat, as defined in article 23, paragraph 2, of the Convention, and looks forward to the review at the seventh session of the Conference of the Parties to the Convention;

9. *Urges* United Nations funds and programmes, the Bretton Woods institutions, the donor countries and other development agencies to integrate actions in support of the Convention into their strategies to support the achievement of

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[175] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[176] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[177] See resolution 55/2.

[178] See A/59/197, sect. II.

[179] See ICCD/COP(6)/11/Add.1.

the internationally agreed development goals, including those contained in the Millennium Declaration;

10. *Calls upon* Governments, where appropriate, in collaboration with relevant multilateral organizations, including the Global Environment Facility implementation agencies, to integrate desertification into their plans and strategies for sustainable development;

11. *Encourages* countries to undertake special initiatives in observance of the International Year of Deserts and Desertification and, as they are able, to contribute to its preparatory process;

12. *Reiterates* the invitation to all parties to pay promptly and in full the contributions required for the core budget of the Convention for the biennium 2004–2005, and urges all parties that have not yet paid their contributions for 1999 and/or the bienniums 2000–2001 and 2002–2003 to do so as soon as possible in order to ensure continuity in the cash flow required to finance the ongoing work of the Conference of the Parties, the secretariat and the Global Mechanism;

13. *Calls upon* Governments, and invites multilateral financial institutions, regional development banks, regional economic integration organizations and all other interested organizations, as well as non-governmental organizations and the private sector, to contribute generously to the General Fund, the Supplementary Fund and the Special Fund, in accordance with the relevant paragraphs of the financial rules of the Conference of the Parties,[160] and welcomes the financial support already provided by some countries;

14. *Takes note* of the ongoing work of the liaison group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change,[161] the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the Convention on Biological Diversity,[162] and further encourages continuing cooperation in order to promote complementarities among the secretariats, while respecting their independent legal status;

15. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

16. *Decides* to include in the provisional agenda of its sixtieth session the sub-item entitled "Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa".

RESOLUTION 59/236

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.6, para. 6)[163]

59/236. Convention on Biological Diversity

The General Assembly,

Recalling its resolutions 55/201 of 20 December 2000, 56/197 of 21 December 2001, 57/253 and 57/260 of 20 December 2002 and 58/212 of 23 December 2003,

Reiterating that the Convention on Biological Diversity[164] is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising from the use of genetic resources,

Recalling the commitments of the World Summit on Sustainable Development to pursue a more efficient and coherent implementation of the three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity, which will require action at all levels, including the implementation of national biodiversity strategies and action plans and the provision of new and additional financial and technical resources to developing countries,

Taking note of the entry into force of the International Treaty on Plant Genetic Resources for Food and Agriculture,[165] the objectives of which are the conservation and sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits arising from their use, in harmony with the Convention on Biological Diversity, for sustainable agriculture and food security,

Expressing its deep appreciation to the Government of Malaysia for hosting the seventh meeting of the Conference of the Parties to the Convention on Biological Diversity and the first meeting of the Conference of the Parties to the Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, held in Kuala Lumpur from 9 to 20 and on 27 February, and from 23 to 27 February 2004, respectively,

Expressing its deep appreciation also to the Government of Brazil for its offer to host the eighth meeting of the Conference of the Parties to the Convention on Biological Diversity and the third meeting of the Conference of the Parties to the Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, to be held in the first half of 2006,

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[160] ICCD/COP(1)/11/Add.1 and Corr.1, decision 2/COP.1, annex, paras. 7–11.

[161] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[162] Ibid., vol. 1760, No. 30619.

[163] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[164] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[165] Food and Agriculture Organization of the United Nations, *Report of the Conference of FAO, Thirty-first Session, Rome, 2–13 November 2001* (C 2001/REP), appendix D.

Noting the efforts of the Government of France to organize a biodiversity-related conference in Paris in 2005,

1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity, transmitted by the Secretary-General to the General Assembly at its fifty-ninth session;[186]

2. *Takes note also* of the outcome of the seventh meeting of the Conference of Parties to the Convention on Biological Diversity[186] and the outcome of the first meeting of the Conference of the Parties to the Convention on Biological Diversity serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety,[186] and urges all parties to these respective agreements to implement their decisions;

3. *Notes* the recent progress made with respect to the achievement of the three objectives set out in the Convention on Biological Diversity;

4. *Notes also* the progress made at the first meeting of the Conference of the Parties to the Convention serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety in establishing an operational framework for the implementation of the Protocol, and reiterates that the effective implementation of the Protocol will require the full support of parties and of relevant international organizations, in particular with regard to the provision of assistance to developing countries as well as countries with economies in transition in capacity-building for biosafety;

5. *Invites* the countries that have not yet done so to ratify or to accede to the Convention on Biological Diversity;

6. *Invites* the parties to the Convention that have not yet ratified or acceded to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity[187] to consider doing so;

7. *Invites* countries to consider ratifying or acceding to the International Treaty on Plant Genetic Resources for Food and Agriculture;[185]

8. *Encourages* developed countries parties to the Convention to contribute to the relevant trust funds of the Convention, in particular so as to enhance the full participation of the developing countries parties in all of its activities;

9. *Urges* parties to the Convention on Biological Diversity to facilitate the transfer of technology for the effective implementation of the Convention in accordance with its provisions;

10. *Takes note* of the ongoing work of the liaison group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change,[188] the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[189] and the Convention on Biological Diversity, and further encourages continuing cooperation in order to promote complementarities among the secretariats, while respecting their independent legal status;

11. *Stresses* the importance of harmonizing the reporting requirements of the biodiversity-related conventions while respecting their independent legal status;

12. *Invites* the Executive Secretary of the Convention on Biological Diversity to continue reporting to the General Assembly on the ongoing work regarding the Convention, including its Cartagena Protocol;

13. *Decides* to include in the provisional agenda of its sixtieth session, under the item entitled "Sustainable development", the sub-item entitled "Convention on Biological Diversity".

RESOLUTION 59/237

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.7, para. 6)[190]

59/237. United Nations Decade of Education for Sustainable Development

The General Assembly,

Recalling chapter 36 of Agenda 21, on promoting education, public awareness and training, adopted at the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, from 3 to 14 June 1992,[191]

Recalling also the work programme on education, public awareness and training initiated by the Commission on Sustainable Development at its fourth session in 1996[192] and elaborated upon at its sixth session in 1998,[193]

Recalling further the relevant provisions of the Plan of Implementation of the World Summit on Sustainable

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[186] See A/59/197, sect. III.

[187] See UNEP/CBD/ExCOP/1/3 and Corr.1, part two, annex.

[188] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[189] Ibid., vol. 1954, No. 33480.

[190] The draft resolution recommended in the report was submitted by the Vice-Chairperson of the Committee.

[191] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[192] *Official Records of the Economic and Social Council, 1996, Supplement No. 8* (E/1996/28), chap. I, sect. C, decision 4/11, para. 2.

[193] Ibid., *1998, Supplement No. 9* (E/1998/29), chap. I, sect. B, decision 6/3, sect. C.

Development ("Johannesburg Plan of Implementation")[194] on education to promote sustainable development, in particular its provision 124,

Recalling its resolutions 57/254 of 20 December 2002 and 58/219 of 23 December 2003,

Underlining in this regard the fact that the United Nations Decade of Education for Sustainable Development will begin on 1 January 2005,

Welcoming the fact that the Commission on Sustainable Development, at its eleventh session, identified education as one of the cross-cutting issues of its multi-year programme of work,[195]

Reaffirming the internationally agreed development goal of achieving universal primary education, in particular that by 2015 children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that boys and girls will have equal access to all levels of education,

Taking note of the oral report presented on 18 October 2004 at the fifty-ninth session of the General Assembly by the Assistant Director-General for Education of the United Nations Educational, Scientific and Cultural Organization regarding its preparations for the Decade,[196]

Taking note also of the report of the Secretary-General on the implementation of the International Strategy for Disaster Reduction,[197] in particular the reference to the issue "Learning to live with risk", as regards the need to focus on education and awareness, linked with the Decade, to be considered at the World Conference on Disaster Reduction, to be held in Kobe, Japan, from 18 to 22 January 2005,[198]

Emphasizing that education is an indispensable element for achieving sustainable development,

1. *Reaffirms* that education for sustainable development is critical for promoting sustainable development;

2. *Requests* the United Nations Educational, Scientific and Cultural Organization, as the designated lead agency, to promote the United Nations Decade of Education for Sustainable Development, in coordination with other relevant United Nations organizations and programmes, while taking into account the special needs of developing countries;

3. *Requests* the Secretary-General to call upon the United Nations Educational, Scientific and Cultural Organization to finalize the draft international implementation scheme for the Decade as soon as possible, preferably by the beginning of the Decade, in consultation with Governments, the United Nations and relevant international organizations, non-governmental organizations and other stakeholders, while clarifying its relationship with the existing educational processes, in particular the Dakar Framework for Action adopted at the World Education Forum[199] and the United Nations Literacy Decade;[200]

4. *Also requests* the Secretary-General to call upon the Director-General of the United Nations Educational, Scientific and Cultural Organization to submit the draft international implementation scheme to the governing bodies of the United Nations Educational, Scientific and Cultural Organization for their final consideration and adoption;

5. *Encourages* Governments to consider the inclusion, especially upon completion and adoption of the international implementation scheme, of measures to implement the Decade in their respective educational systems and strategies and, where appropriate, national development plans;

6. *Invites* Governments to promote public awareness of and wider participation in the Decade, inter alia, through cooperation with and initiatives engaging civil society and other relevant stakeholders, especially at the beginning of the Decade;

7. *Requests* the Secretary-General to invite the Director-General of the United Nations Educational, Scientific and Cultural Organization to prepare a mid-term review of the implementation of the Decade, for submission to the General Assembly at its sixty-fifth session under the sub-item entitled "United Nations Decade of Education for Sustainable Development".

RESOLUTION 59/238

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/483/Add.8, para. 9)[201]

59/238. Rendering assistance to poor mountain countries to overcome obstacles in socio-economic and ecological areas

The General Assembly,

Recalling its resolution 53/24 of 10 November 1998, by which it proclaimed 2002 the International Year of Mountains,

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[194] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[195] See Economic and Social Council resolution 2003/61 of 25 July 2003.

[196] See *Official Records of the General Assembly, Fifty-ninth Session, Second Committee*, 14th meeting (A/C.2/59/SR.14), and corrigendum.

[197] A/59/228.

[198] Ibid., para. 8.

[199] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000* (Paris, 2000).

[200] See resolution 56/116.

[201] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

Recalling also its resolutions 55/189 of 20 December 2000, 57/245 of 20 December 2002 and 58/216 of 23 December 2003,

Recalling further the United Nations Millennium Declaration adopted on 8 September 2000,[202]

Recalling chapter 13 of Agenda 21[203] and all relevant paragraphs of the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[204] in particular paragraph 42 thereof, as the overall policy frameworks for sustainable development in mountain regions,

Decides to consider at its sixtieth session, under the item entitled "Sustainable development", a sub-item entitled "Rendering assistance to poor mountain countries to overcome obstacles in socio-economic and ecological areas", bearing in mind its resolution 58/216.

RESOLUTION 59/239

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/484, para. 11)[205]

59/239. Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)

The General Assembly,

Recalling its resolutions 3327 (XXIX) of 16 December 1974, 32/162 of 19 December 1977, 34/115 of 14 December 1979, 56/205 and 56/206 of 21 December 2001, 57/275 of 20 December 2002 and 58/226 and 58/227 of 23 December 2003,

Taking note of Economic and Social Council resolutions 2002/38 of 26 July 2002 and 2003/62 of 25 July 2003 and Council decision 2004/300 of 23 July 2004,

Recalling the Habitat Agenda[206] and the Declaration on Cities and Other Human Settlements in the New Millennium,[207]

Taking into account the Johannesburg Declaration on Sustainable Development[208] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[209] as well as the Monterrey Consensus of the International Conference on Financing for Development,[210]

Recalling the goal contained in the United Nations Millennium Declaration[211] of achieving a significant improvement in the lives of at least 100 million slum-dwellers by 2020, as proposed in the Cities Without Slums Initiative, and recalling further the goal contained in the Johannesburg Plan of Implementation to halve, by 2015, the proportion of people who are unable to reach or afford safe drinking water and the proportion of people who do not have access to basic sanitation,

Recognizing that the overall thrust of the strategic vision of the United Nations Human Settlements Programme (UN-Habitat) and its emphasis on the two global campaigns on secure tenure and urban governance are strategic points of entry for the effective implementation of the Habitat Agenda, especially for guiding international cooperation in respect of adequate shelter for all and sustainable human settlements development,

Conscious of the need to achieve greater coherence and effectiveness in the implementation of the Habitat Agenda, the Declaration on Cities and Other Human Settlements in the New Millennium and the relevant internationally agreed development goals, including those contained in the Millennium Declaration,

Recognizing the continued urgent need for increased and predictable financial contributions to the United Nations Habitat and Human Settlements Foundation to ensure timely, effective and concrete global implementation of the Habitat Agenda, the Declaration on Cities and Other Human Settlements in the New Millennium and the relevant internationally agreed development goals, including those contained in the Millennium Declaration and the Johannesburg Declaration and Plan of Implementation,

Reiterating the call to the Executive Director of UN-Habitat to increase the efforts to strengthen the Foundation in order to achieve its primary operative objective of supporting the implementation of the Habitat Agenda, including supporting shelter, related infrastructure-development programmes and housing-finance institutions and mechanisms, particularly in developing countries,

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[202] See resolution 55/2.

[203] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[204] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[205] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[206] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

[207] Resolution S-25/2, annex.

[208] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[209] Ibid., resolution 2, annex.

[210] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[211] See resolution 55/2.

Recognizing that humanitarian assistance in the field of human settlements must be provided in ways that will be supportive of reconstruction and long-term development,

Noting the convening of the second session of the World Urban Forum, organized by UN-Habitat in cooperation with the Government of Spain, the Autonomous Government of Catalonia and the Municipality of Barcelona, in Barcelona, from 13 to 17 September 2004,

Expressing its appreciation to the Government of Canada and the city of Vancouver for their willingness to host the third session of the World Urban Forum in 2006,

Emphasizing the importance of access to basic services for the urban poor, and in this regard noting the decision of the Governing Council of UN-Habitat at its nineteenth session on water and sanitation in cities,[212]

Noting the commitment to integrate urban planning and management in relation to housing, transport, employment opportunities, environmental conditions and community facilities, and further noting the commitment to promote, where appropriate, the upgrading of informal settlements and urban slums as an expedient measure and pragmatic solution to the urban shelter deficit,

1. *Takes note* of the report of the Secretary-General;[213]

2. *Recognizes* that Governments have the primary responsibility for the sound and effective implementation of the Habitat Agenda[206] and the Declaration on Cities and Other Human Settlements in the New Millennium,[207] and stresses that the international community should fully implement its commitments to support the Governments of developing countries as well as countries with economies in transition in their efforts, through the provision of the requisite resources, capacity-building, the transfer of technology and the creation of an international enabling environment;

3. *Calls for* continued financial support to UN-Habitat through increased voluntary contributions to the United Nations Habitat and Human Settlements Foundation, and invites Governments to provide multi-year funding to support programme implementation;

4. *Also calls for* increased, non-earmarked contributions to the Foundation;

5. *Requests* the Executive Director to continue to work with the World Bank Group, regional development banks, other development banks, the private sector and other relevant partners to field-test approaches through pilot projects and to develop longer-term programmes to mobilize resources to increase the supply of affordable credit for slum upgrading and other pro-poor human settlements development in developing countries as well as countries with economies in transition;

6. *Calls upon* the international donor community and financial institutions to contribute generously to the Technical Cooperation Trust Fund and other operational activities of UN-Habitat for the effective implementation of its field programmes;

7. *Recognizes* the important role of regional offices and personnel of UN-Habitat in providing operational support to developing countries, and in this regard calls upon Governments to strengthen and support financially the regional offices of UN-Habitat in order to expand operational support to developing countries and countries with economies in transition;

8. *Calls upon* UN-Habitat to continue to work closely with the other organizations of the United Nations system, integrating UN-Habitat staff as appropriate into existing United Nations country offices;

9. *Requests* the Secretary-General to keep the resource needs of UN-Habitat and the United Nations Office at Nairobi under review so as to permit the delivery, in an effective manner, of necessary services to UN-Habitat and the other United Nations organs and organizations in Nairobi;

10. *Encourages* Governments to establish local, national and regional urban observatories and to provide financial and substantive support to UN-Habitat for the further development of methodologies for data collection, analysis and dissemination;

11. *Encourages* Member States as well as Habitat Agenda partners to provide support for the preparation of the UN-Habitat flagship reports, the *Global Report on Human Settlements* and the *State of the World's Cities* report, on a biennial basis so as to raise awareness of human settlements and to provide information on urban conditions and trends around the world;

12. *Encourages* Governments to support the UN-Habitat Global Campaign for Secure Tenure and the Global Campaign on Urban Governance as important tools for, inter alia, promoting administration of land and property rights, in accordance with national circumstances, and enhancing access to affordable credit by the urban poor;

13. *Invites* Governments to continue to promote linkages between urban and rural areas in line with the Habitat Agenda, which recognized that cities and rural areas are interdependent economically, socially and environmentally;

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[212] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 8* (A/58/8), annex I, resolution 19/6.

[213] A/59/198.

14. *Encourages* Governments and UN-Habitat to continue to promote partnerships with local authorities, non-governmental organizations, the private sector and other Habitat Agenda partners, including women's groups and academic and professional groups, in order to empower them, within the legal framework and conditions of each country, to play a more effective role in the provision of adequate shelter for all and sustainable human settlements development in an urbanizing world;

15. *Also encourages* Governments to support and enable the participation of youth in the implementation of the Habitat Agenda through social, cultural and economic activities at the city level and other national- and local-level activities;

16. *Further encourages* Governments to include issues pertaining to shelter, sustainable human settlements and urban poverty in their national development strategies, including poverty reduction strategy papers, where they exist;

17. *Urges* the donor community to support the efforts of developing countries to make pro-poor investments in services and infrastructure in order to improve living environments, in particular in slums and informal settlements;

18. *Requests* UN-Habitat, within its mandate, to continue to support the efforts of countries affected by natural disasters and complex emergencies to develop prevention, rehabilitation and reconstruction programmes for the transition from relief to development, and encourages UN-Habitat to continue to work closely with the members of the Inter-Agency Standing Committee and other relevant agencies in the United Nations system in this field;

19. *Invites* the Secretary-General to incorporate the assessment of progress made towards the target of achieving a significant improvement in the lives of at least 100 million slum-dwellers by 2020 in his report on the review in 2005 of the implementation of the United Nations Millennium Declaration;[211]

20. *Calls upon* UN-Habitat and the Division for Sustainable Development of the Department of Economic and Social Affairs of the Secretariat to work together closely in the preparations for the thirteenth session of the Commission on Sustainable Development in order to ensure a fruitful policy discussion of the thematic cluster of issues on water, sanitation and human settlements;

21. *Requests* the Secretary-General to submit a report to the General Assembly at its sixtieth session on the implementation of the present resolution;

22. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)".

RESOLUTION 59/240

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/485/Add.1, para. 7)[214]

59/240. Role of the United Nations in promoting development in the context of globalization and interdependence

The General Assembly,

Recalling its resolutions 53/169 of 15 December 1998, 54/231 of 22 December 1999, 55/212 of 20 December 2000, 56/209 of 21 December 2001, 57/274 of 20 December 2002 and 58/225 of 23 December 2003 on the role of the United Nations in promoting development in the context of globalization and interdependence,

Recalling also its resolution 58/291 of 6 May 2004,

Reaffirming the resolve expressed in the United Nations Millennium Declaration[215] to ensure that globalization becomes a positive force for the people of the world,

Recognizing that globalization and interdependence have opened new opportunities for the growth of the world economy and development, that globalization offers new perspectives for the integration of developing countries into the world economy and that it can improve the overall performance of the economies of developing countries by opening up market opportunities for their exports, by promoting the transfer of information, skills and technology and by increasing the financial resources available for investment in physical and intangible assets, acknowledging that globalization has also brought new challenges for growth and sustainable development and that developing countries have been facing special difficulties in responding to them, recognizing that some countries have successfully adapted to the changes and benefited from globalization but that many others, especially the least developed countries, have remained marginalized in the globalizing world economy, and recognizing also that, as stated in the Millennium Declaration, the benefits and costs of globalization are very unevenly distributed,

Recognizing also that a universal, rule-based, open, non-discriminatory and equitable multilateral trading system, as well as meaningful trade liberalization, can substantially stimulate development worldwide, benefiting countries at all stages of development, reaffirming its commitment to trade liberalization and to ensuring that trade plays its full part in promoting economic growth, employment and development for all, welcoming in that regard the decisions taken by the World Trade Organization to place the needs and interests of developing countries at the heart of its work programme, and committing itself to their implementation,

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[214] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[215] See resolution 55/2.

Recognizing further that all human rights are universal, indivisible, interdependent and interrelated,

Noting that an overall commitment to multiculturalism helps to provide an environment preventing and combating discrimination and promoting solidarity and tolerance in our societies,

Recognizing that an enabling economic environment should, inter alia, foster a dynamic and well-functioning business sector and include efforts to further promote good corporate and public sector governance, to combat corruption in the public and private sectors and to promote the strengthening of and respect for the rule of law,

Noting that particular attention must be given, in the context of globalization, to the objective of protecting, promoting and enhancing the rights and welfare of women and girls, as stated in the Beijing Declaration and Platform for Action,[216]

Taking note of the report of the World Commission on the Social Dimension of Globalization entitled *A Fair Globalization: Creating Opportunities for All*[217] as a contribution to the international dialogue towards a fully inclusive and equitable globalization,

Noting the report of the Commission on the Private Sector and Development entitled *Unleashing Entrepreneurship: Making Business Work for the Poor*,[218]

1. *Takes note* of the report of the Secretary-General;[219]

2. *Reaffirms* that the United Nations has a central role in promoting international cooperation for development and in promoting policy coherence on global development issues, including in the context of globalization and interdependence;

3. *Reaffirms also* that each country has primary responsibility for its own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

4. *Invites* the international community, including all Member States, to devote special attention to improving resource flows for development, including public and private, foreign and domestic, to assist the developing countries, particularly the least developed countries, to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[215]

5. *Stresses* that, in the common pursuit of growth, poverty eradication and sustainable development, a critical challenge is to ensure the necessary internal conditions for mobilizing domestic savings, both public and private, sustaining adequate levels of productive investment and increasing human capacity, while a crucial task is to enhance the efficacy, coherence and consistency of macroeconomic policies and an enabling domestic environment is vital for mobilizing domestic resources, increasing productivity, reducing capital flight, encouraging the private sector and attracting and making effective use of international investment and assistance, and in this regard stresses also that efforts to create such an environment should be supported by the international community;

6. *Underlines* the fact that, in addressing the linkages between globalization and sustainable development, particular focus should be placed on identifying and implementing mutually reinforcing policies and practices that promote sustained economic growth, social development and environmental protection and that this requires efforts at both the national and international levels;

7. *Reiterates* that success in meeting the objectives of development and poverty eradication depends, inter alia, on good governance, both within individual countries and at the international level, sound economic policies, solid democratic institutions that are responsive to the needs of the people and improved infrastructure, which are the basis for sustained growth, poverty eradication and employment creation, and that transparency in financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system are equally essential;

8. *Stresses* that improved coherence between national and international efforts and between the international monetary, financial and trading systems is fundamental for sound global economic governance; in this context reaffirms the commitment to improving the coherence between those systems in order to enhance their capacities to better respond to the needs of development and recognizes that the institutional dimension in terms of development is central; emphasizes that development should be at the centre of the international economic agenda and that coherence between national development strategies, on the one hand, and international obligations and commitments, on the other, contributes to the creation of an enabling economic environment for development; and stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

9. *Stresses also* that development strategies have to be formulated with a view to minimizing the negative social impact of globalization and maximizing its positive impact,

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[216] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[217] See A/59/98-E/2004/79.

[218] United Nations publication, Sales No. E.04.III.B.4.

[219] A/59/312.

while ensuring that all groups of the population, in particular the poorest, benefit from it, and that at the international level, efforts have to converge on the means to achieve the internationally agreed development goals, including those contained in the Millennium Declaration;

10. *Underlines* the fact that the increasing interdependence of national economies in a globalizing world and the emergence of rule-based regimes for international economic relations have meant that the space for national economic policy, i.e., the scope for domestic policies, especially in the areas of trade, investment and industrial development, is now often framed by international disciplines, commitments and global market considerations, that it is for each Government to evaluate the trade-off between the benefits of accepting international rules and commitments and the constraints posed by the loss of policy space and that it is particularly important for developing countries, bearing in mind development goals and objectives, that all countries take into account the need for appropriate balance between national policy space and international disciplines and commitments;

11. *Reaffirms* that education, employment creation and improvement of working conditions, which are some of the indispensable elements of poverty eradication, social integration, gender equality and overall development, should be at the centre of development strategies and international cooperation in support of national policies, and recognizes the need to promote employment that takes into account labour standards as defined in the relevant instruments of the International Labour Organization and other international instruments;

12. *Urges* all Governments to ensure women's equal rights with men and their full and equal access to education, training, employment, technology and economic and financial resources, including credit, in particular for rural women and women in the informal sector, and to facilitate, where appropriate, the transition of women from the informal to the formal sector;

13. *Stresses* the importance of migration as a phenomenon accompanying increased globalization, including its impact on economies, and underlines further the need for greater coordination and cooperation among countries as well as relevant regional and international organizations;

14. *Recognizes* the special needs of the least developed countries, the small island developing States and the landlocked developing countries within a new global framework for transit transport cooperation for landlocked and transit developing countries, and reaffirms continued support and assistance for their endeavours, particularly in their efforts to achieve the internationally agreed development goals, including those contained in the Millennium Declaration, and the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[220] the Programme of Action for the Sustainable Development of Small Island Developing States,[221] and the Almaty Programme of Action;[222]

15. *Emphasizes* the importance of recognizing and addressing the specific concerns of countries with economies in transition so as to help them to benefit from globalization, with a view to their full integration into the world economy;

16. *Invites* all relevant agencies of the United Nations system, through, inter alia, the United Nations System Chief Executives Board for Coordination, within existing resources, to continue to review the impact of their work on the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration;

17. *Welcomes* the decision taken by the General Council of the World Trade Organization on 1 August 2004,[223] which rededicates and recommits members to fulfilling the development dimensions of the Doha Development Agenda, which places the needs of developing and least developed countries at the heart of the Doha work programme;[224]

18. *Stresses* the need to build an inclusive information society, which is intrinsically global in nature, and that therefore national efforts need to be supported by effective international and regional cooperation among Governments, the private sector, civil society and other stakeholders, including the international financial institutions, in order, inter alia, to assist in bridging the digital divide, promoting access to information and communication technologies, creating digital opportunities and harnessing the potential of information and communication technologies for development, and invites the World Summit on the Information Society to encourage all stakeholders in this regard;

19. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on globalization and interdependence;

20. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Globalization and interdependence".

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[220] A/CONF.191/13, chap. II.

[221] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex II.

[222] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

[223] World Trade Organization, document WT/L/579. Available from http://docsonline.wto.org.

[224] See A/C.2/56/7, annex.

RESOLUTION 59/241

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/485/Add.2, para. 7)[225]

59/241. International migration and development

The General Assembly,

Recalling the Programme of Action of the International Conference on Population and Development adopted at Cairo,[226] in particular chapter X on international migration, and the key actions for the further implementation of the Programme of Action, set out in the annex to General Assembly resolution S-21/2 of 2 July 1999, in particular section II.C on international migration, as well as the relevant provisions contained in the Copenhagen Declaration on Social Development,[227] the Programme of Action of the World Summit for Social Development,[228] the Platform for Action adopted by the Fourth World Conference on Women[229] and the outcome documents of the twenty-fourth[230] and twenty-fifth[231] special sessions of the General Assembly,

Recalling also its relevant resolutions, in particular resolutions 57/270 B of 23 June 2003, 58/190 of 22 December 2003 and 58/208 of 23 December 2003, in which it decided to devote a high-level dialogue to international migration and development during its sixty-first session, bearing in mind that the purpose of the high-level dialogue is to discuss the multidimensional aspects of international migration and development in order to identify appropriate ways and means to maximize its development benefits and minimize its negative impacts,

Reaffirming the obligations of all States to promote and protect all human rights and fundamental freedoms, reaffirming also the Universal Declaration of Human Rights,[232] and recalling the International Convention on the Elimination of All Forms of Racial Discrimination,[233] the Convention on the Elimination of All Forms of Discrimination against Women[234] and the Convention on the Rights of the Child,[235]

Noting the work undertaken under the International Migration Policy Programme by the United Nations Institute for Training and Research, the International Organization for Migration and the United Nations Population Fund, in partnership with the International Labour Office, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights and other relevant international and regional institutions, with a view to strengthening the capacity of Governments to manage migration flows at the national and regional levels and thus foster greater cooperation among States towards orderly migration,

Noting also the ongoing efforts and recent activities within the United Nations system and the other intergovernmental activities and multilateral initiatives on international migration and development being undertaken, as well as the exchanges of information on the subject,

Recalling the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[236] which entered into force in July 2003,

Welcoming the adoption of the special theme of the thirty-ninth session of the Commission on Population and Development in 2006, which will be "International migration and development",[237]

Taking note of the views of the Member States on the question of convening a United Nations conference on international migration, its scope, form and agenda, noting the low number of respondents to the survey of the Secretariat, and in this context inviting the Secretary-General to continue considering the issue,

Acknowledging the important contribution provided by migrants and migration to development as well as the complex interrelationship between migration and development,

Aware of the fact that all countries are impacted by international migration, and hence stressing the crucial importance of dialogue and cooperation so as to better understand the international migration phenomenon, including its gender perspective, and to identify appropriate ways and means to maximize its development benefits and minimize its negative impacts,

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[225] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[226] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[227] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[228] Ibid., annex II.

[229] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[230] Resolution S-24/2, annex.

[231] Resolution S-25/2, annex.

[232] Resolution 217 A (III).

[233] Resolution 2106 A (XX), annex.

[234] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[235] Ibid., vol. 1577, No. 27531.

[236] Resolution 45/158, annex.

[237] *Official Records of the Economic and Social Council, 2004, Supplement No. 5* (E/2004/25), chap. I.B, decision 2004/1.

Realizing the benefits that international migration can bring to migrants, their families, the receiving societies and their communities of origin and the need for countries of origin, transit and destination to ensure that migrants, including migrant workers, are not subject to exploitation of any kind and the need to ensure that the human rights and dignity of all migrants and their families, in particular of women migrant workers, are respected and protected,

Noting that an overall commitment to multiculturalism helps to provide a context for the effective integration of migrants, preventing and combating discrimination and promoting solidarity and tolerance in receiving societies,

Aware that, among other important factors, both domestic and international, the widening economic and social gap between and among many countries and the marginalization of some countries in the global economy, due in part to the uneven impact of the benefits of globalization and liberalization, have contributed to large flows of people between and among countries and to the intensification of the complex phenomenon of international migration,

Recognizing that countries can be concurrently any combination of origin, transit and/or destination,

1. *Takes note* of the report of the Secretary-General;[238]

2. *Reconfirms* that the Secretary-General will report to the General Assembly at its sixtieth session on the organizational details of the 2006 high-level dialogue;

3. *Recognizes* the important contributions that international and regional efforts, including by the regional commissions, can provide to the high-level dialogue on international migration and development;

4. *Invites* appropriate regional consultative processes and other major initiatives undertaken by Member States in the field of international migration to contribute to the high-level dialogue;

5. *Takes note* of the establishment of the Global Commission on International Migration;

6. *Calls upon* all relevant bodies, agencies, funds and programmes of the United Nations system and other relevant intergovernmental, regional and subregional organizations, within their continuing mandated activities, to continue to address the issue of international migration and development, with a view to integrating migration issues, including a gender perspective and cultural diversity, in a more coherent way within the broader context of the implementation of agreed economic and social development goals and respect for all human rights;

7. *Encourages* Governments of countries of origin, countries of transit and countries of destination to increase cooperation on issues related to migration, and notes with appreciation the numerous meetings and conferences convened relating to migration and development, in particular in the context of regional cooperation;

8. *Invites* Governments, with the assistance of the international community, where appropriate, to seek to make the option of remaining in one's own country viable for all people, in particular through efforts to achieve sustainable development, leading to a better economic balance between developed and developing countries;

9. *Reaffirms* the need to adopt policies and undertake measures to reduce the cost of the transfer of migrant remittances to developing countries, and welcomes the efforts of Governments and stakeholders in this regard;

10. *Requests* the Secretary-General, within existing resources, to prepare a comprehensive overview of studies and analyses on the multidimensional aspects of migration and development, including the effects of migration on economic and social development in developed and developing countries, and on the effects of the movements of highly skilled migrant workers and those with advanced education;

11. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixty-first session on the implementation of the present resolution.

RESOLUTION 59/242

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/485/Add.3, para. 6)[239]

59/242. Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin

The General Assembly,

Recalling its resolutions 54/205 of 22 December 1999, 56/186 of 21 December 2001 and 57/244 of 20 December 2002, and recalling also its resolution 58/205 of 23 December 2003 on preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin,

Recalling also the Monterrey Consensus of the International Conference on Financing for Development,[240] which underlined that fighting corruption at all levels is a priority, and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[241]

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[238] A/59/325.

[239] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[240] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

Emphasizing the need for solid democratic institutions responsive to the needs of the people and the need to improve the efficiency, transparency and accountability of domestic administration and public spending and the rule of law, to ensure full respect for human rights, including the right to development, and to eradicate corruption and build sound economic and social institutions,

Recognizing that fighting corruption at all levels is a priority and that corruption is a serious barrier to effective resource mobilization and allocation and diverts resources away from activities that are vital for poverty eradication, the fight against hunger, and economic and sustainable development,

Noting the particular concern of developing countries and countries with economies in transition regarding the return of assets of illicit origin derived from corruption to the countries from which they originated, consistent with the principles of the United Nations Convention against Corruption,[242] in particular chapter V, in view of the importance that such assets can have to their sustainable development,

Recognizing the concern over the transfer and/or transaction of assets of illicit origin, and stressing the need to address this concern consistent with the principles of chapter V of the United Nations Convention against Corruption,

Recognizing also that the illicit acquisition of wealth can be particularly damaging to democratic institutions, national economies and the rule of law,

Convinced that a stable and transparent environment for national and international commercial transactions in all countries is essential for the mobilization of investment, finance, technology, skills and other important resources, and recognizing that effective efforts at all levels to combat and avoid corruption in all its forms in all countries are essential elements of an improved national and international business environment,

Concerned about the links between corruption in all its forms, including bribery, money-laundering and the transfer of assets of illicit origin, and other forms of crime, in particular organized crime and economic crime,

Reiterating its concern about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and the values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law, in particular when an inadequate national and international response leads to impunity,

Welcoming the initiatives taken by the Commonwealth Secretariat and the Group of Eight with regard to fighting corruption and improving transparency, including the initiative of the Group of Eight to support with bilateral technical assistance those countries committed to a partnership to increase transparency, good governance and the rule of law, and welcoming also the efforts of those Member States that have entered into "Compacts to Promote Transparency and Combat Corruption" with the Group of Eight,

Noting with appreciation the holding of the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption in Merida, Mexico, from 9 to 11 December 2003,

Recalling its resolution 58/4 of 31 October 2003, by which it adopted the United Nations Convention against Corruption and urged all States and competent regional economic organizations to sign and ratify it,

1. *Condemns* corruption in all its forms, including bribery, money-laundering and the transfer of assets of illicit origin;

2. *Takes note* of the report of the Secretary-General;[243]

3. *Welcomes* the adoption of the United Nations Convention against Corruption;[242]

4. *Reiterates its invitation* to all Member States and competent regional economic integration organizations to sign, ratify and fully implement the United Nations Convention against Corruption as soon as possible in order to ensure its rapid entry into force;

5. *Welcomes* the efforts of Member States that have enacted laws and taken other positive measures in the fight against corruption in all its forms, including, inter alia, in accordance with the United Nations Convention against Corruption, and in this regard encourages Member States that have not yet done so to enact such laws;

6. *Encourages* all Governments to prevent, combat and penalize corruption in all its forms, including bribery, money-laundering and the transfer of illicitly acquired assets, and to work for the prompt return of such assets through asset recovery consistent with the principles of the United Nations Convention against Corruption, particularly chapter V;

7. *Further encourages* subregional and regional cooperation, where appropriate, in the efforts to prevent and

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[241] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[242] Resolution 58/4, annex.

[243] A/59/203 and Add.1.

combat corrupt practices and the transfer of assets of illicit origin as well as for asset recovery consistent with the principles of the United Nations Convention against Corruption, particularly chapter V;

8. *Calls for* further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent and combat corrupt practices and the transfer of assets of illicit origin, as well as for asset recovery consistent with the principles of the United Nations Convention against Corruption, particularly chapter V;

9. *Encourages* Member States to provide adequate financial and human resources to the United Nations Office on Drugs and Crime, and further encourages the Office to give high priority to technical cooperation, upon request, inter alia, to promote and facilitate the signing and ratification, acceptance, approval or accession and the implementation of the United Nations Convention against Corruption, including the early finalization, in cooperation with the United Nations Interregional Crime and Justice Research Institute, of the legislative guide for the ratification and implementation of the Convention;

10. *Reiterates its request* to the international community to provide, inter alia, technical assistance to support national efforts to strengthen human and institutional capacity aimed at preventing and combating corrupt practices and the transfer of assets of illicit origin as well as for asset recovery consistent with the principles of the United Nations Convention against Corruption, particularly chapter V, and formulating strategies for mainstreaming and promoting transparency and integrity in both the public and the private sectors;

11. *Urges* all Member States, consistent with the United Nations Convention against Corruption, to abide by the principles of proper management of public affairs and public property, fairness, responsibility and equality before the law and the need to safeguard integrity and to foster a culture of transparency, accountability and rejection of corruption;

12. *Calls upon* the private sector, at both the international and the national levels, including small and large companies and transnational corporations, to remain fully engaged in the fight against corruption, welcomes the agreement to add anti-corruption as the tenth principle of the Global Compact, and emphasizes the need for all relevant stakeholders, including within the United Nations system, as appropriate, to continue to promote corporate responsibility and accountability;

13. *Encourages* all Member States that have not yet done so to require financial institutions to properly implement comprehensive due diligence and vigilance programmes, consistent with the principles of the United Nations Convention against Corruption and other applicable instruments, that could facilitate transparency and prevent the placement of illicitly acquired funds;

14. *Also encourages* Member States, relevant international organizations and the United Nations Office on Drugs and Crime to give prominence to 9 December as International Anti-Corruption Day, as established by the General Assembly in its resolution 58/4;

15. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution and on the impact of corruption in all its forms, including on the scale of transfers of assets of illicit origin and the impact of corruption and such outflows on economic growth and sustainable development.

RESOLUTION 59/243

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/485/Add.5, para. 6)[244]

59/243. Integration of the economies in transition into the world economy

The General Assembly,

Reaffirming its resolutions 47/187 of 22 December 1992, 48/181 of 21 December 1993, 49/106 of 19 December 1994, 51/175 of 6 December 1996, 53/179 of 15 December 1998, 55/191 of 20 December 2000 and 57/247 of 20 December 2002,

Reaffirming also the need for the full integration of the countries with economies in transition into the world economy,

Welcoming the progress made in those countries towards market-oriented reforms and achieving macroeconomic and financial stability and economic growth, inter alia, through sound macroeconomic policies, good governance and the rule of law, and noting the need to sustain those positive trends,

Noting that in some economies in transition this progress has been slower, resulting in lower aggregate development levels and lower per capita income,

Stressing the importance of continued international assistance to countries with economies in transition to support their efforts towards market-oriented reforms, institution-building, infrastructure development and achieving macroeconomic and financial stability and economic growth, and to ensure that they are fully integrated into the world economy,

Recognizing, in particular, the need to enhance the capacity of those countries to utilize effectively the benefits of globalization, including those in the field of information and communication technologies, and to respond more adequately to its challenges,

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[244] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

Recognizing also the continuing need for favourable conditions for market access of exports from countries with economies in transition, in accordance with multilateral trade agreements,

Recognizing further the important role that foreign direct investment should play in those countries, and stressing the need to create an enabling environment, both domestically and internationally, to attract more foreign direct investment to those countries,

Recognizing the role that the private sector can play in the socio-economic development of those countries and their integration into the world economy, and stressing the importance of fostering a favourable environment for private investment and entrepreneurship,

Noting the aspiration of the countries with economies in transition towards the further development of regional and interregional cooperation,

Taking note with appreciation of the report of the Secretary-General,[245]

1. *Welcomes* the measures taken by the organizations of the United Nations system to implement General Assembly resolutions on the integration of the economies in transition into the world economy;

2. *Calls upon* the organizations of the United Nations system, including the regional commissions, and invites the Bretton Woods institutions, in collaboration with relevant non-United Nations multilateral and regional institutions, to continue to conduct analytical activities and provide policy advice and targeted and substantial technical assistance to the Governments of the countries with economies in transition aimed at strengthening the social, legal and political framework for completing market-oriented reforms, supporting national development priorities with a view to sustaining the positive trends and reversing any declines in the economic and social development of those countries;

3. *Emphasizes* in this regard the importance of the further integration of the countries with economies in transition into the world economy, taking into account, inter alia, the relevant provisions of the Monterrey Consensus of the International Conference on Financing for Development,[246] the Johannesburg Declaration on Sustainable Development[247] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation");[248]

4. *Stresses* the need to focus international assistance to countries with economies in transition on those facing particular difficulties in socio-economic development, implementing market-oriented reforms and meeting internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[249] and welcomes efforts made by countries with economies in transition to improve governance and institutional capabilities in order to use aid more effectively;

5. *Welcomes* the efforts made by countries with economies in transition in implementing policies that promote sustained economic growth and sustainable development, including, inter alia, by promoting competition, regulatory reform, respect for property rights and expeditious contract enforcement, and calls upon the United Nations system to highlight the successful models as good practices;

6. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution.

RESOLUTION 59/244

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/486/Add.1, para. 7)[250]

59/244. Third United Nations Conference on the Least Developed Countries

The General Assembly,

Recalling its resolution 55/279 of 12 July 2001, in which it endorsed the Brussels Declaration[251] and the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[252] and its resolutions 57/276 of 20 December 2002 and 58/228 of 23 December 2003 on the Third United Nations Conference on the Least Developed Countries,

Reaffirming its resolution 55/2 of 8 September 2000, by which it adopted the United Nations Millennium Declaration, in particular paragraph 15 thereof, in which the Heads of State and Government undertook to address the special needs of the least developed countries,

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[245] A/59/301.

[246] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[247] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[248] Ibid., resolution 2, annex.

[249] See resolution 55/2.

[250] The draft resolution recommended in the report was introduced by the Rapporteur of the Committee.

[251] A/CONF.191/13, chap. I.

[252] Ibid., chap. II.

Recognizing the importance of the review of the progress achieved towards meeting the goals and targets contained in the Programme of Action, as well as other internationally agreed development goals, including those contained in the Millennium Declaration, as they address the special needs of the least developed countries,

Taking note of the ministerial declaration of the high-level segment of the substantive session of 2004 of the Economic and Social Council on the theme "Resources mobilization and enabling environment for poverty eradication in the context of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010",[253]

Taking note also of Economic and Social Council resolutions 2004/66 of 5 November 2004 on the smooth transition strategy for countries graduating from the list of least developed countries and 2004/67 of 5 November 2004 on the report of the Committee for Development Policy on its sixth session,

Taking note further of the *Least Developed Countries Report, 2004*,[254]

Recognizing that the eradication of poverty in the least developed countries will require, inter alia, steps to empower the poor, unleash their entrepreneurial skills and allow them to access, develop and use their assets,

Taking note of the report of the Secretary-General,[255]

1. *Reiterates its deep concern* over the weak implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010;[252]

2. *Urges* the least developed countries and their bilateral and multilateral development partners to increase concerted efforts and speedy measures for meeting the goals and targets of the Programme of Action in a timely manner;

3. *Reiterates its request* to the Secretary-General to ensure at the secretariat level the full mobilization and coordination of all parts of the United Nations system to facilitate coordinated implementation as well as coherence in the follow-up to and monitoring of the Programme of Action at the national, regional, subregional and global levels, and in this context requests the Secretary-General to engage the United Nations Development Group's team leaders, consistent with their respective mandates, in the coordinated implementation of activities of the Programme of Action;

4. *Invites* the 2005 high-level event, in accordance with the modalities to be set by the General Assembly at its fifty-ninth session, to address the special needs of the least developed countries, while reviewing the progress made in the achievement of internationally agreed development goals, including those contained in the United Nations Millennium Declaration;

5. *Decides* to hold the comprehensive review of the Programme of Action in 2006 within the General Assembly during its sixty-first session, in accordance with paragraph 114 of the Programme of Action, bearing in mind the provisions of General Assembly resolution 57/270 B of 23 June 2003, with modalities to be decided upon;

6. *Decides also* to consider at its sixtieth session the modalities for conducting such a comprehensive review;

7. *Reiterates* the critical importance of the participation of government representatives from the least developed countries in the annual review of the Programme of Action by the Economic and Social Council, and in this regard requests the Secretary-General to establish a specific trust fund for the travel and subsistence of two representatives from each least developed country to attend the annual review of the Programme of Action; the trust fund should be funded by voluntary contributions;

8. *Calls upon* Member States, and invites intergovernmental and non-governmental organizations and the private sector, to make voluntary contributions to the trust fund;

9. *Welcomes* the decision of the United Nations Conference on Trade and Development at its eleventh session to conduct analyses through the *Least Developed Countries Report, 2004*[254] on the causes of the decline in the share of least developed countries in world trade and the linkages between trade, growth and poverty reduction, with a view to identifying long-term solutions to the problem, as expressed in paragraph 34 of the São Paulo Consensus,[256] and invites the United Nations Conference on Trade and Development to conduct an analysis of the role that enterprise development can play in alleviating poverty in least developed countries and to recommend measures the Governments of least developed countries can take to promote the development of their private sector;

10. *Emphasizes* the importance of the effective implementation of Economic and Social Council resolution 2004/66 in order to support countries graduating from the list of least developed countries;

11. *Requests* the Secretary-General to submit an annual progress report on the implementation of the Programme of Action in an analytical and results-oriented way by placing emphasis on concrete results and indicating the progress achieved in its implementation.

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[253] A/59/3, chap. III, para. 49. For the final text, see *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 3*.

[254] United Nations publication, Sales No. E.04.II.D.27.

[255] A/59/94-E/2004/77.

[256] TD/412, part II.

RESOLUTION 59/245

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/486/Add.2, para. 9)[257]

59/245. Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation

The General Assembly,

Recalling its resolutions 56/180 of 21 December 2001, 57/242 of 20 December 2002 and 58/201 of 23 December 2003,

Recalling also the United Nations Millennium Declaration,[258] in which Heads of State and Government recognized the particular needs and problems of landlocked developing countries and urged both bilateral and multilateral donors to increase financial and technical assistance to this group of countries to meet their particular development needs and to help them to overcome the impediments of geography by improving their transit transport systems, and resolved to create an environment, at the national and global levels alike, that is conducive to development and to the elimination of poverty,

Recognizing that the lack of territorial access to the sea, aggravated by remoteness from world markets, and prohibitive transit costs and risks impose serious constraints on export earnings, private capital inflow and domestic resource mobilization of landlocked developing countries and therefore adversely affect their overall growth and socio-economic development,

Recognizing also that landlocked developing countries, with their small and vulnerable economies, are among the poorest of developing countries, and noting that, of the thirty-one landlocked developing countries, sixteen are also classified by the United Nations as least developed countries,

Recalling the Almaty Declaration[259] and the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,[260]

Recalling also the New Partnership for Africa's Development (NEPAD),[261] an initiative for accelerating regional economic cooperation and development as most landlocked and transit developing countries are located in Africa,

Taking note of the ministerial communiqué adopted at the Fifth Annual Ministerial Meeting of Landlocked Developing Countries, held on 27 September 2004 at United Nations Headquarters,[262]

1. *Takes note* of the report of the Secretary-General on the implementation of the Almaty Programme of Action;[263]

2. *Reaffirms* the right of access of landlocked countries to and from the sea and freedom of transit through the territory of transit countries by all means of transport, in accordance with applicable rules of international law;

3. *Reaffirms also* that transit countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for landlocked countries in no way infringe upon their legitimate interests;

4. *Invites* Member States, organizations of the United Nations system as well as other relevant international, regional and subregional organizations and multilateral financial and development institutions to implement the specific actions in the five priorities agreed upon in the Almaty Programme of Action;[260]

5. *Invites* donor countries, the United Nations Development Programme and multilateral financial and development institutions to provide landlocked and transit developing countries with appropriate financial and technical assistance in the form of grants or concessional loans for the construction, maintenance and improvement of their transport, storage and other transit-related facilities, including alternative routes and improved communications, to promote subregional, regional and interregional projects and programmes, and, in this regard, to consider, inter alia, improving the availability and optimal use of different transport modes and intermodal efficiency along transport corridors;

6. *Recognizes* that most transit countries are themselves developing countries often of broadly similar economic structure and beset by similar scarcity of resources, including the lack of adequate transit transport infrastructure;

7. *Emphasizes* that assistance for the improvement of transit transport facilities and services should be integrated into the overall economic development strategies of the landlocked and transit developing countries and that donor countries should

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[257] The draft resolution recommended in the report was introduced by the Rapporteur of the Committee.

[258] See resolution 55/2.

[259] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex II.

[260] Ibid., annex I.

[261] A/57/304, annex.

[262] A/C.2/59/2.

[263] A/59/208.

consequently take into account the requirements for the long-term restructuring of the economies of the landlocked developing countries;

8. *Stresses* the need for the implementation of the São Paulo Consensus[264] adopted at the eleventh session of the United Nations Conference on Trade and Development, held in São Paulo, Brazil, from 13 to 18 June 2004, in particular paragraphs 66 and 84 thereof, by the relevant international organizations and donors in a multi-stakeholder approach, and emphasizes, in this regard, that the examination of issues relating to the trade of small, vulnerable economies, and the framing of responses to these trade-related issues to facilitate their fuller integration into the multilateral trading system should be actively pursued consistent with the Doha work programme,[265] taking into consideration the particular needs of landlocked developing countries within a new global framework for transit transport cooperation for landlocked and transit developing countries;

9. *Invites* the relevant organizations of the United Nations system and other international organizations, including the regional commissions, the United Nations Conference on Trade and Development, the World Bank, the World Customs Organization, the World Trade Organization and the International Maritime Organization, to integrate the Almaty Programme of Action into their relevant programmes of work, and encourages them to continue their support to the landlocked and transit developing countries, inter alia, through well-coordinated and coherent technical assistance programmes in transit transport;

10. *Encourages* the United Nations Conference on Trade and Development, in particular the Division for Services Infrastructure for Development and Trade Efficiency and the Special Programme on the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States to continue its technical assistance activities and analytical work related to transit transport cooperation between landlocked and transit developing countries;

11. *Requests* the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States of the Secretariat, in accordance with the mandate given by the General Assembly in its resolution 56/227 of 24 December 2001 and in the Almaty Programme of Action and the Almaty Declaration,[259] to continue its cooperation and coordination with organizations within the United Nations system, particularly those engaged in operational activities on the ground in landlocked and transit developing countries to ensure effective implementation of the Almaty Programme of Action in line with General Assembly resolution 57/270 B of 23 June 2003, and also requests the Office to continue to carry out advocacy work to mobilize international awareness and focus attention on the implementation of the Almaty Programme of Action;

12. *Requests*, in this regard, the Secretary-General to take the necessary measures, within existing resources, to provide the Office with adequate resources so as to allow it to effectively carry out its added mandate as stipulated in the Almaty Programme of Action;

13. *Invites* donor countries and the international financial and development institutions to make voluntary contributions to the trust fund established by the Secretary-General to support the activities related to the follow-up to the implementation of the outcome of the Almaty International Ministerial Conference;

14. *Invites* the 2005 high-level event to address the special needs of the landlocked developing countries, within a new global framework for transit transport cooperation for landlocked and transit developing countries, in accordance with the modalities to be set by the General Assembly at its fifty-ninth session, while assessing the progress achieved in the implementation of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[illegible]

15. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation";

16. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the progress made in the implementation of the Almaty Programme of Action.

RESOLUTION 59/246

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/487/Add.1, para. 15)[266]

59/246. Role of microcredit and microfinance in the eradication of poverty

The General Assembly,

Recalling its resolutions 52/193 and 52/194 of 18 December 1997, 53/197 of 15 December 1998 and 58/221 of 23 December 2003,

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[264] TD/412, part II.

[265] See A/C.2/56/7, annex.

[266] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

Recognizing that microcredit and microfinance programmes have succeeded in generating productive self-employment and proved to be an effective tool in assisting people to overcome poverty and reducing their vulnerability to crisis, and have led to their growing participation, in particular the participation of women, in the mainstream economic and political processes of society,

Welcoming the efforts made in the field of property rights, and noting that an enabling environment at all levels, including transparent regulatory systems and competitive markets, foster the mobilization of resources and access to finance for people living in poverty,

Bearing in mind the importance of microfinance instruments, such as credit, savings and other financial products and services, in providing access to capital for people living in poverty,

Recognizing the need to create inclusive financial sectors in order to facilitate access for people living in poverty, especially women, to microcredit and microfinance so as to enable them to undertake microenterprises to generate employment and contribute to achieving self-empowerment, and to enhance their ability to increase income, build assets and mitigate vulnerability in times of hardship,

Noting that the availability of microcredit and microfinance to people living in poverty, especially women, can support entrepreneurship and spur the development of microenterprises, providing goods, services and income to the poor, thus raising incomes and fostering equitable growth,

Recalling its resolution 53/197, by which it proclaimed 2005 the International Year of Microcredit and requested that the observance of the Year be a special occasion for giving impetus to microcredit and microfinance programmes in all countries, particularly the developing countries,

Encouraging the holding and supporting of regional, subregional and national events on the observance of the International Year of Microcredit, 2005,

Noting the ongoing efforts by the Department of Economic and Social Affairs of the Secretariat and the United Nations Capital Development Fund in jointly coordinating the activities of the United Nations system regarding the preparation and observance of the Year, and noting also the ongoing efforts of public and private development agencies, including the Consultative Group to Assist the Poor, on microcredit and microfinance,

Noting also that the international community is observing the period 1997–2006 as the first United Nations Decade for the Eradication of Poverty,

1. *Takes note* of the report of the Secretary-General on the implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006) and preparations for the International Year of Microcredit, 2005;[267]

2. *Welcomes* the launching of the International Year of Microcredit, 2005;

3. *Emphasizes* that the observance of 2005 as the International Year of Microcredit will provide a significant opportunity to raise awareness of the importance of microcredit and microfinance in the eradication of poverty, to share good practices and to further enhance financial sectors that support sustainable pro-poor financial services in all countries;

4. *Recognizes* the importance of scaling up microcredit and other microfinance instruments, using the Year as a platform to find ways of enhancing development impact and sustainability through the increased dissemination of data and sharing of best practices and lessons learned among microcredit and microfinance institutions, and welcomes the ongoing efforts of United Nations regional organizations, funds, programmes and specialized agencies responsible for operational activities related to development in promoting microcredit and microfinance institutions, inter alia, supporting the development of entrepreneurship;

5. *Reiterates its invitation* to Member States, relevant organizations of the United Nations system, non-governmental organizations, the private sector and civil society to collaborate, including through making voluntary contributions, in observing the Year, to raise public awareness and knowledge about microcredit and microfinance;

6. *Recognizes* that access to microcredit and microfinance can contribute to the achievement of the goals and targets of major United Nations conferences and summits in the economic and social fields, including those contained in the United Nations Millennium Declaration,[268] in particular the goals relating to poverty eradication, gender equality and the empowerment of women;

7. *Invites* Member States to consider undertaking policies to facilitate the expansion of microcredit and microfinance institutions in order to service the large unmet demand among poor people for financial services, including the identification and development of mechanisms to promote sustainable access to financial services, the removal of institutional and regulatory obstacles and the provision of incentives to microfinance institutions that meet national standards for delivering such financial services to the poor;

8. *Also invites* Member States to consider developing and promoting regulatory guidance and standards to ensure effectiveness in management, financial reporting, internal

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[267] A/59/326 and Add.1.

[268] See resolution 55/2.

auditing, domestic supervision and accountability among microfinance institutions;

9. *Decides* to devote one plenary meeting at its sixty-first session to the consideration of the outcome of and follow-up to the International Year of Microcredit, with a view to broadening and deepening the discussion about microcredit and microfinance;

10. *Requests* the Secretary-General to prepare a report on the observance of the International Year of Microcredit, 2005, and on the implementation of the present resolution, and to submit it to the General Assembly at its sixty-first session under the item entitled "Implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006)".

RESOLUTION 59/247

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/487/Add.1, para. 15)[269]

59/247. Implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006)

The General Assembly,

Recalling its resolutions 47/196 of 22 December 1992, 48/183 of 21 December 1993, 50/107 of 20 December 1995, 56/207 of 21 December 2001, 57/265 and 57/266 of 20 December 2002 and 58/222 of 23 December 2003,

Recalling also the United Nations Millennium Declaration, adopted by Heads of State and Government on the occasion of the Millennium Summit,[270] and their commitment to eradicate extreme poverty and to halve, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

Underlining the priority and urgency given by the Heads of State and Government to the eradication of poverty, as expressed in the Monterrey Consensus of the International Conference on Financing for Development[271] and in the outcomes of the World Summit on Sustainable Development,[272]

Recalling the outcomes of the major United Nations conferences and summits in the economic and social fields,

Bearing in mind the outcomes of the World Summit for Social Development[273] and the twenty-fourth special session of the General Assembly,[274]

Expressing its deep concern that the number of people living in extreme poverty in many countries continues to increase, with women and children constituting the majority and the most affected groups, in particular in the least developed countries and in sub-Saharan Africa,

Welcoming the initiative launched by the Presidents of Brazil, Chile and France and the Prime Minister of Spain, with the support of the Secretary-General, to convene in New York on 20 September 2004 the Summit of World Leaders for Action against Hunger and Poverty,

Noting the report of the Commission on Private Sector and Development entitled *Unleashing Entrepreneurship: Making Business Work for the Poor*,[275]

Reiterating the need to strengthen the leadership role of the United Nations in promoting development,

1. *Takes note* of the report of the Secretary-General;[276]

2. *Reiterates* that eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, in particular for developing countries;

3. *Underlines* the fact that each country has the primary responsibility for its own sustainable development and poverty eradication, that the role of national policies and development strategies cannot be overemphasized, and that concerted and concrete measures are required at all levels to enable developing countries to eradicate poverty and achieve sustainable development;

4. *Acknowledges* that sustained economic growth, supported by rising productivity and a favourable environment, including for private investment and entrepreneurship, is necessary to eradicate poverty, achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[270] and realize a rise in living standards;

5. *Reaffirms* the importance of the contributions and assistance of developing countries to the other developing countries in the context of South-South cooperation in order to achieve development and eradicate poverty;

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[269] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[270] See resolution 55/2.

[271] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[272] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex, and resolution 2, annex.

[273] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[274] Resolution S-24/2, annex.

[275] United Nations publication, Sales No. E.04.III.B.4.

[276] A/59/326 and Add.1.

6. *Recognizes* that, for developing countries to reach the targets set in the context of national development strategies for the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration, in particular the goal on the eradication of poverty, and for such poverty eradication strategies to be effective, it is imperative that developing countries be integrated into the world economy and share equitably in the benefits of globalization;

7. *Reaffirms* that, within the context of overall action for the eradication of poverty, special attention should be given to the multidimensional nature of poverty and the national and international conditions and policies that are conducive to its eradication, fostering, inter alia, the social and economic integration of people living in poverty and the promotion and protection of all human rights and fundamental freedoms for all, including the right to development;

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8. *Stresses* the importance of the follow-up to the outcome of the International Conference on Financing for Development, and calls for the full and effective implementation of the Monterrey Consensus;[271]

9. *Reaffirms* that good governance at the international level is fundamental for achieving poverty eradication and sustainable development; that, in order to ensure a dynamic and enabling international economic environment, it is important to promote global economic governance through addressing the international finance, trade, technology and investment patterns that have an impact on the development prospects of developing countries; that, to that end, the international community should take all necessary and appropriate measures, including ensuring support for structural and macroeconomic reform, a comprehensive solution to the external debt problem and increasing market access for developing countries; that efforts to reform the international financial architecture need to be sustained, with greater transparency and the effective participation of developing countries in decision-making processes; and that a universal, rule-based, open, non-discriminatory and equitable multilateral trading system, as well as meaningful trade liberalization, can substantially stimulate development worldwide, benefiting countries at all stages of development;

10. *Also reaffirms* that good governance at the national level is essential for poverty eradication and sustainable development; that sound economic policies, solid democratic institutions responsive to the needs of the people and improved infrastructure are the basis for sustained economic growth, poverty eradication and employment creation; and that freedom, peace and security, domestic stability, respect for human rights, including the right to development, and the rule of law, gender equality, market-oriented policies and an overall commitment to just and democratic societies are also essential and mutually reinforcing;

11. *Welcomes* the outcomes of the eleventh session of the United Nations Conference on Trade and Development, held in São Paulo, Brazil, from 13 to 18 June 2004, and the adoption of The Spirit of São Paulo[277] and the São Paulo Consensus;[278]

12. *Recognizes* the major role that trade plays as an engine of growth and development and in eradicating poverty, and welcomes the adoption by the General Council of the World Trade Organization of its decision of 1 August 2004,[279] in which the members rededicated and recommitted themselves to fulfilling the development dimensions of the Doha Development Agenda, which places the needs and interests of developing and least developed countries at the heart of the Doha work programme;[280]

13. *Also recognizes* that fighting corruption at all levels is a priority and that corruption is a serious barrier to effective resource mobilization and allocation and diverts resources from activities that are vital for poverty eradication, the fight against hunger and economic and sustainable development;

14. *Underlines* the fact that, together with coherent and consistent domestic policies, international cooperation is essential in supplementing and supporting the efforts of developing countries to utilize their domestic resources for development and poverty eradication and in ensuring that they will be able to achieve the development goals as envisioned in the Millennium Declaration;

15. *Welcomes* the recent increase in official development assistance, and reiterates that a substantial increase in official development assistance and other resources will be required if developing countries, in particular the least developed countries, are to achieve the internationally agreed development goals and objectives, including those contained in the Millennium Declaration, and that to build support for official development assistance, cooperation is necessary to further improve policies and development strategies to enhance aid effectiveness, both nationally and internationally;

16. *Stresses* the importance of enhanced and predictable financing to ensure the sustainability of the development and poverty eradication efforts of developing countries;

17. *Urges* developed countries that have not done so to make concrete efforts to reach the targets of 0.7 per cent of their gross national product as official development assistance to developing countries and 0.15 to 0.20 per cent of their gross national product to least developed countries, as reconfirmed at

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[277] TD/412, part I.

[278] Ibid., part II.

[279] World Trade Organization, document WT/L/579. Available from http://docsonline.wto.org.

[280] See A/C.2/56/7, annex.

the Third United Nations Conference on the Least Developed Countries, held in Brussels from 14 to 20 May 2001,[281] encourages developing countries to build on progress achieved in ensuring that official development assistance is used effectively to help to achieve development goals and targets, acknowledges the efforts of all donors, commends those donors whose official development assistance contributions exceed, reach or are increasing towards the targets, and underlines the importance of undertaking to examine the means and time frames for achieving the targets and goals;

18. *Recalls* the decision to give further consideration to the subject of possible innovative and additional sources of financing for development from all sources, public and private, domestic and external, taking into account international efforts, contributions and discussions, within the overall inclusive framework of the follow-up to the International Conference on Financing for Development;

19. *Recognizes* that an enabling domestic environment is vital for mobilizing domestic resources, increasing productivity, reducing capital flight, encouraging the private sector and attracting and making effective use of international investment and assistance, and that efforts to create such an environment should be supported by the international community;

20. *Also recognizes* that creditors and debtors must share the responsibility for preventing and resolving unsustainable debt situations and that debt relief can play a key role in liberating resources that should be directed towards activities consistent with attaining poverty eradication, sustainable economic growth and sustainable development and achieving the internationally agreed development goals, including those contained in the Millennium Declaration, and in this regard urges countries to direct those resources freed through debt relief, in particular through debt cancellation and reduction, towards these objectives;

21. *Calls upon* the developed countries, by means of intensified and effective cooperation with developing countries, to promote capacity-building and facilitate access to and transfer of technologies and corresponding knowledge, in particular to developing countries, on favourable terms, including concessional and preferential terms, as mutually agreed, taking into account the need to protect intellectual property rights, as well as the special needs of developing countries;

22. *Recognizes* the crucial role that microfinance and microcredit could play in the eradication of poverty, the promotion of gender equality, the empowerment of vulnerable groups and the development of rural communities, invites Member States to consider undertaking policies to facilitate the expansion of microfinance and microcredit institutions in order to service the large unmet demand among poor people for financial services, including the identification and development of mechanisms to promote sustainable access to financial services, the removal of institutional and regulatory obstacles and the provision of incentives to microfinance institutions that meet national standards for delivering such financial services to the poor;

23. *Also recognizes* the potential of information and communication technologies to serve as a powerful tool for development and poverty eradication and to help the international community to maximize the benefits of globalization, and welcomes in this regard the holding of the first phase of the World Summit on the Information Society from 10 to 12 December 2003 in Geneva and the offer of Tunisia to host the second phase in Tunis from 16 to 18 November 2005;

Policies for the eradication of poverty

24. *Reaffirms* that the eradication of poverty should be addressed in an integrated way, as set out in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[282] taking into account the importance of the need for the empowerment of women and sectoral strategies in such areas as education, the development of human resources, health, human settlements, rural, local and community development, productive employment, population, environment and natural resources, water and sanitation, agriculture, food security, energy and migration and the specific needs of disadvantaged and vulnerable groups in such a way as to increase opportunities and choices for people living in poverty and to enable them to build and to strengthen their assets so as to achieve development, security and stability, and in that regard encourages countries to develop their national poverty reduction policies in accordance with their national priorities, including, where appropriate, through poverty reduction strategy papers;

25. *Underlines*, in this context, the importance of further integration of the internationally agreed development goals, including those contained in the Millennium Declaration, in the national development strategies and plans, including the poverty reduction strategy papers where they exist, and calls upon the international community to continue to support developing countries in the implementation of these development strategies and plans;

26. *Recognizes* the importance of disseminating best practices for the reduction of poverty in its various dimensions, taking into account the need to adapt those best practices to suit the social, economic, cultural and historical conditions of each country;

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[281] See A/CONF.191/13.

[282] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

27. *Reaffirms* that all Governments and the United Nations system should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes aimed at the eradication of poverty, at both the national and international levels, and encourages the use of gender analysis as a tool for the integration of a gender dimension into planning the implementation of policies, strategies and programmes for the eradication of poverty;

28. *Also reaffirms* that poverty eradication, changing unsustainable patterns of production and consumption and protecting and managing the natural resource base of economic and social development are overarching objectives of, and essential requirements for, sustainable development;

29. *Emphasizes* the critical role of both formal and non-formal education, in particular basic education and training, especially for girls, in empowering those living in poverty, reaffirms in that context the Dakar Framework for Action adopted at the World Education Forum,[283] and recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education For All programmes as a tool to achieve the Millennium Development Goal on universal primary education by 2015;

30. *Recognizes* the devastating effect of HIV/AIDS, malaria, tuberculosis and other infectious, contagious diseases on human development, economic growth, food security and poverty reduction efforts in all regions, in particular in sub-Saharan Africa, and urges Governments and the international community to give urgent priority to combating those diseases;

31. *Also recognizes* that HIV/AIDS continues to exact a devastating toll on individuals and families, in particular women and girls, and that in the hardest-hit countries it threatens decades of health, economic and social progress, reducing life expectancy, slowing economic growth, deepening poverty and contributing to chronic food shortages; that urgent action is needed to address gender inequality and economic dependency and poverty; and that addressing HIV/AIDS is therefore an important component of poverty eradication and a key requisite when working to achieve the internationally agreed development goals, including those contained in the Millennium Declaration;

32. *Emphasizes* the link between poverty eradication and improving access to safe drinking water, and stresses in that regard the objective to halve, by 2015, the proportion of people who are unable to reach or to afford safe drinking water and the proportion of people who do not have access to basic sanitation, as reaffirmed in the Johannesburg Plan of Implementation;

33. *Recognizes* that the lack of adequate housing remains a pressing challenge in the fight to eradicate extreme poverty, particularly in the urban areas in developing countries, expresses its concern at the rapid growth in the number of slum-dwellers in the urban areas of developing countries, particularly in Africa, stresses that, unless urgent and effective measures and actions are taken at the national and international levels, the number of slum-dwellers, who constitute one third of the world's urban population, will continue to increase, and emphasizes the need for increased efforts with a view to significantly improving the lives of at least 100 million slum-dwellers by 2020;

34. *Encourages* Governments to support the Global Campaign for Secure Tenure and the Global Campaign for Urban Governance of the United Nations Human Settlements Programme as important tools for, inter alia, promoting administration of land and property rights, in accordance with national circumstances, and enhancing access to affordable credit by the urban poor;

35. *Recognizes* that the eradication of rural poverty and hunger is crucial for the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration, and that rural development should be an integral part of national and international development policies;

Specific initiatives in the fight against poverty

36. *Recognizes* the important potential contribution of the World Solidarity Fund to the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration, in particular the objective to halve, by 2015, the proportion of people living on less than one dollar a day and the proportion of the people who suffer from hunger;

37. *Takes note* of efforts to define the strategy of the World Solidarity Fund and to mobilize resources to enable it to start its activities, and invites Member States, international organizations, the private sector, relevant institutions, foundations and individuals to contribute to the Fund;

38. *Recalls* that in the Millennium Declaration, the Heads of State and Government, inter alia, identified solidarity as one of the fundamental and universal values that should underlie relations between peoples in the twenty-first century, and in this regard decides to consider at the sixtieth session of the General Assembly the issue of proclaiming 20 December of each year International Human Solidarity Day;

39. *Invites* Governments and relevant stakeholders to utilize entrepreneurship, taking fully into account national interests, development strategies and priorities to contribute to poverty eradication;

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[283] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000* (Paris, 2000).

Africa, least developed countries, landlocked developing countries and small island developing States

40. *Stresses*, as recognized in the Millennium Declaration, the importance of meeting the special needs of Africa, where poverty remains a major challenge and where most countries have not benefited fully from the opportunities of globalization, which has further exacerbated the continent's marginalization;

41. *Reaffirms its support* for the New Partnership for Africa's Development,[284] encourages further efforts in the implementation of the commitments contained therein in the political, economic and social fields, and calls upon the Member States and the international community, and invites the United Nations system, to continue to support the implementation of the Partnership, the primary objective of which is to eradicate poverty and promote sustainable development on the basis of African ownership and leadership and enhanced partnerships with the international community, in accordance with the principles, objectives and priorities of the Partnership;

42. *Takes note* of the Plan of Action for Promotion of Employment and Poverty Alleviation in Africa adopted at the extraordinary summit of the African Union on employment and poverty alleviation, held in Ouagadougou from 3 to 9 September 2004,[285] and notes the role of the International Labour Organization in assisting the African countries in implementing the Plan of Action adopted at the summit;

43. *Calls upon* the Governments of the least developed countries and their development partners to implement fully the commitments contained in the Brussels Declaration[286] and the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[287] adopted at the Third United Nations Conference on the Least Developed Countries, held in Brussels from 14 to 20 May 2001;

44. *Stresses* the vulnerabilities of the small island developing States, reiterates the importance of international support for the full implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,[288] supports in this regard the holding of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States in Mauritius from 10 to 14 January 2005, and looks forward to its outcomes;

45. *Recognizes* the special problems and needs of the landlocked developing countries within a new global framework for transit transport cooperation for landlocked and transit developing countries, calls, in this regard, for the full and effective implementation of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,[289] and stresses the need for the implementation of the São Paulo Consensus,[278] adopted in São Paulo, Brazil, on 18 June 2004 at the eleventh session of the United Nations Conference on Trade and Development, in particular paragraphs 66 and 84 thereof, by the relevant international organizations and donors in a multi-stakeholder approach;

The United Nations and the fight against poverty

46. *Calls for* the full implementation of General Assembly resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields, which provides a comprehensive basis for the follow-up to the outcomes of those conferences and summits and contributes to the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration, in particular the eradication of poverty, and stresses the importance of the 2005 high-level event to be held at the commencement of the sixtieth session of the General Assembly, as decided by the Assembly in its resolution 58/291 of 6 May 2004;

47. *Reaffirms* the role of United Nations funds and programmes, in particular the United Nations Development Programme and its associated funds, in assisting the national efforts of developing countries, inter alia, in the eradication of poverty, and the need for their funding in accordance with the relevant resolutions of the United Nations;

48. *Requests* the Secretary-General to submit a report to the General Assembly at its sixtieth session on the implementation of the present resolution;

49. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006)".

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[284] A/57/304, annex.

[285] African Union, document EXT/ASSEMBLY/AU/4 (III) Rev.4.

[286] A/CONF.191/13, chap. I.

[287] Ibid., chap. II.

[288] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex II.

[289] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

RESOLUTION 59/248

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/487/Add.2, para. 7)[290]

59/248. World Survey on the role of women in development

The General Assembly,

Recalling its resolutions 54/210 of 22 December 1999 and 58/206 of 23 December 2003 and all its other resolutions on the integration of women in development,

1. *Takes note* of the report of the Secretary-General entitled "World Survey on the Role of Women in Development",[291] which focuses on women and international migration, and decides to consider the report at its sixtieth session under the sub-item entitled "Women in development";

2. *Requests* the Secretary-General to update the *World Survey on the Role of Women in Development* for the consideration of the General Assembly at its sixty-fourth session, noting that the survey should continue to focus on selected emerging development themes that have an impact on the role of women in the economy at the national, regional and international levels, to be identified at its sixtieth session.

RESOLUTION 59/249

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/487/Add.3, para. 6)[292]

59/249. Industrial development cooperation

The General Assembly,

Recalling its resolutions 46/151 of 18 December 1991, 49/108 of 19 December 1994, 51/170 of 16 December 1996, 53/177 of 15 December 1998, 55/187 of 20 December 2000 and 57/243 of 20 December 2002 on industrial development cooperation,

Recalling also the United Nations Millennium Declaration adopted by Heads of State and Government on 8 September 2000,[293]

Reaffirming the outcomes of the Fourth Ministerial Conference of the World Trade Organization, held in Doha from 9 to 14 November 2001,[294] the Third United Nations Conference on the Least Developed Countries, held in Brussels from 14 to 20 May 2001,[295] the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002,[296] and the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002,[297]

Recognizing the role of the business community, including the private sector, in enhancing the dynamic process of the development of the industrial sector, and underlining the importance of the benefits of foreign direct investment in that process,

Recognizing also the importance of the transfer of technology to the developing countries and countries with economies in transition as an effective means of international cooperation in the pursuit of poverty eradication and sustainable development,

Taking note of the corporate strategy of the United Nations Industrial Development Organization, which aims at, inter alia, promoting productivity growth as a means of supporting the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration, and the measures being taken to operationalize this strategy,

Taking note also of the signing of the cooperation agreement between the United Nations Industrial Development Organization and the United Nations Development Programme on 23 September 2004 and that the agreement should lead to the improvement of the field presence of the United Nations Industrial Development Organization and a better fulfilment of its primary objective, which is to promote and accelerate industrial development in the developing countries while retaining its identity, visibility and core competencies, and noting that it establishes, inter alia, a basis for both institutions to develop joint technical cooperation programmes in support of private-sector development in developing countries,

Taking note further of the signing of a memorandum of technical cooperation between the United Nations Industrial Development Organization and the World Trade Organization, at Cancun, Mexico, on 10 September 2003, aiming at the joint development and implementation of trade-related technical cooperation programmes,

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[290] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[291] A/59/287 and Add.1.

[292] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[293] See resolution 55/2.

[294] A/C.2/56/7, annex.

[295] A/CONF.191/13.

[296] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[297] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex, and resolution 2, annex.

1. *Takes note* of the report of the Secretary-General,[298] and welcomes the conclusions and recommendations contained therein;

2. *Reaffirms* that industrialization is an essential factor in the sustained economic growth, sustainable development and eradication of poverty of developing countries and countries with economies in transition as well as in the creation of productive employment, income generation and the facilitation of social integration, including the integration of women into the development process;

3. *Stresses* the critical role of productive capacity-building and industrial development for the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[293]

4. *Takes note* of the comprehensive review of the activities of the United Nations Industrial Development Organization conducted in line with its corporate strategy, which has enabled it to become a more focused, effective and efficient organization, especially for developing countries and countries with economies in transition, capable of delivering concrete outcomes and providing valuable contributions to the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration;

5. *Emphasizes* the necessity of favourable national and international measures for the industrialization of developing countries, and urges all Governments to adopt and to implement development policies and strategies to unleash the productivity growth potential through private-sector development, the diffusion of environmentally sound and emerging technologies, investment promotion, enhanced access to markets and the effective use of official development assistance to enable developing countries to achieve the internationally agreed development goals, including those contained in the Millennium Declaration, and to make this process sustainable;

6. *Underlines* the importance of industrial development cooperation and of a positive investment and business climate at the international, regional, subregional and national levels in promoting the expansion, diversification and modernization of productive capacities in developing countries, in particular the least developed countries, landlocked developing countries and countries with economies in transition;

7. *Takes note with appreciation* of the organization of the Global Biotechnology Forum, held in Concepción, Chile, from 2 to 5 March 2004, which was organized jointly by the United Nations Industrial Development Organization and the Government of Chile, with support from the International Centre for Genetic Engineering and Biotechnology, and takes note of decision IDB.28/Dec.6 of the Industrial Development Board of the United Nations Industrial Development Organization;[299]

8. *Confirms* the contribution of industry to social development, especially in the context of the linkages between industry and agriculture, and notes that, within the totality of these interlinkages, industry serves as a powerful source of employment generation, income creation and social integration required for the eradication of poverty;

9. *Calls for* the continuing use of official development assistance for industrial development in the developing countries and countries with economies in transition, calls upon donor countries and recipient countries to continue to cooperate in their efforts to achieve greater efficiency and effectiveness of the official development assistance resources devoted to industrial development cooperation and to support the efforts of developing countries and countries with economies in transition to promote industrial development cooperation among themselves, and underlines the importance of mobilizing funds for industrial development at the country level, including private funding and funds from relevant development finance institutions;

10. *Also calls for*, in this regard, the continuing use of all other resources, including private and public, foreign and domestic resources, for industrial development in the developing countries and countries with economies in transition;

11. *Reiterates* the importance of cooperation and coordination within the United Nations system in providing effective support for the sustainable industrial development of developing countries and countries with economies in transition, and calls upon the United Nations Industrial Development Organization to continue to carry out its central role in the field of industrial development according to its mandate;

12. *Encourages* the United Nations Industrial Development Organization to continue to enhance its effectiveness, relevance and development impact by, inter alia, strengthening its cooperation with other institutions of the United Nations system at all levels;

13. *Calls upon* the United Nations Industrial Development Organization to participate actively in coordination at the field level through the common country assessment and the United Nations Development Assistance Framework processes and sector-wide approaches;

14. *Emphasizes* the need to promote the development of microenterprises and small and medium-sized enterprises, including by means of training, education and skills enhancement, with a special focus on agro-industry as a provider of livelihoods for rural communities;

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[298] A/59/138.

[299] See GC.11/2, annex I.

15. *Stresses* the need for the United Nations Industrial Development Organization to promote, within its mandate, the development of competitive industries in developing countries and countries with economies in transition, as well as in landlocked developing countries;

16. *Reaffirms* the need to support the survival and expansion of industrial manufacturing activity in developing countries, and in this regard calls upon the United Nations Industrial Development Organization to continue to improve its technical cooperation activities through, inter alia, the areas of technology diffusion and capacity-building for market access and development;

17. *Welcomes* the active role played by the United Nations Industrial Development Organization in the High-Level Committee on Programmes of the United Nations System Chief Executives Board for Coordination, and encourages it to continue promoting enhanced coordination and coherence within the United Nations system with a view to reinforcing the quality and relevance of the United Nations in the field of economic development;

18. *Requests* the United Nations Industrial Development Organization to facilitate industrial development with emphasis on the priority areas outlined in its medium-term programme framework, 2004–2007;

19. *Encourages* the United Nations Industrial Development Organization to increase its contributions to achieve the objectives of the New Partnership for Africa's Development[300] with a view to further strengthening the industrialization process in Africa;

20. *Also encourages* the United Nations Industrial Development Organization to develop further its global forum capacity according to its mandate, with the aim of enhancing, in the context of the globalization process, a common understanding of global and regional industrial sector issues and their impact on poverty eradication and sustainable development, and calls for further strengthening of the demand-driven integrated programme approach at the field level;

21. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution.

RESOLUTION 59/250

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/488/Add.1, para. 9)[301]

59/250. Triennial comprehensive policy review of operational activities for development of the United Nations system

The General Assembly,

Recalling its resolutions 44/211 of 22 December 1989, 47/199 of 22 December 1992, 50/120 of 20 December 1995, 52/203 of 18 December 1997, 52/12 B of 19 December 1997, 53/192 of 15 December 1998 and 56/201 of 21 December 2001, as well as Economic and Social Council resolutions 2002/29 of 25 July 2002, 2003/3 of 11 July 2003 and 2004/5 of 12 July 2004, and other relevant resolutions,

Reaffirming the importance of the triennial comprehensive policy review of operational activities, through which the General Assembly establishes key system-wide policy orientations for the development cooperation and country-level modalities of the United Nations system,

Recalling the role of the Economic and Social Council in providing coordination and guidance to the United Nations system to ensure that those policy orientations are implemented on a system-wide basis in accordance with Assembly resolutions 48/162 of 20 December 1993, 50/227 of 24 May 1996 and 57/270 B of 23 June 2003,

Recalling also the United Nations Millennium Declaration of 8 September 2000,[302] including the development and poverty eradication goals contained therein, and recalling further the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002, and the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002 and other major United Nations conferences and summits in the economic, social and related fields, and their importance for international development cooperation, in particular for the operational activities for development of the United Nations system,

Noting, in this context, the activities of the United Nations funds and programmes aimed at providing technical assistance to recipient countries, in response to their national economic and social needs and priorities, including poverty eradication and the promotion of all human rights, including the right to development, for achieving sustained economic growth and sustainable development in accordance with relevant General Assembly resolutions and recent United Nations conferences, and stressing the need for those activities to be undertaken at the request of interested recipient Governments strictly within the respective mandates of the United Nations funds and programmes, which should receive increased contributions from donor countries,

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[300] A/57/304, annex.

[301] The draft resolution recommended in the report was introduced by the Rapporteur of the Committee.

[302] See resolution 55/2.

Recognizing that the transition from relief to development represents a complex challenge as regards the universal achievement of the MDGs,[303]

Reiterating that developing countries are responsible for their own development processes, and in this context stressing the responsibility of the international community, in partnership, in assisting developing countries in their national development efforts,

Recognizing that the United Nations development system should take into account the specific needs and requirements of the countries with economies in transition and other recipient countries,

Recognizing also that new technologies, including information and communication technologies, present an opportunity to accelerate development, especially in developing countries, and noting that the access to those technologies is uneven and that a digital divide still prevails,

Reaffirming the need to ensure, in a coherent and timely manner, the full implementation of all the elements of its resolutions 44/211, 47/199, 50/120, 53/192 and 56/201 and the parts of its resolution 52/12 B relevant to operational activities for development, which should be considered an integral part of the present resolution,

Reiterating the importance of the development of national capacities to eradicate poverty and pursue sustained economic growth and sustainable development as a central goal of the development cooperation of the United Nations system,

Recognizing that new trends in development assistance, including sector-wide approaches and budget support, pose challenges to the United Nations, and stressing that the United Nations has a role to play in assisting developing countries to manage the new aid modalities,

Noting the advances that the United Nations development system is making in the area of coordination, including in the implementation of resolution 56/201,

Encouraging the governing bodies of United Nations agencies, funds and programmes to ensure that gender perspectives are integrated into all aspects of their monitoring functions in relation to policies and strategies, medium-term plans, multi-year funding frameworks and operational activities, including those relating to the implementation of the Millennium Declaration and the outcomes of major United Nations conferences and summits in the economic and social fields,

I

Introduction

1. *Takes note with appreciation* of the reports of the Secretary-General on the triennial comprehensive policy review of operational activities for development of the United Nations system;[304]

2. *Reaffirms* that the fundamental characteristics of the operational activities for development of the United Nations system should be, inter alia, their universal, voluntary and grant nature, their neutrality and their multilateralism, as well as their ability to respond to the development needs of recipient countries in a flexible manner, and that the operational activities are carried out for the benefit of recipient countries, at the request of those countries and in accordance with their own policies and priorities for development;

3. *Urges* all Member States to pursue the full implementation of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[302] and recognizes the positive contribution that these can make in providing direction to the operational activities for development of the United Nations system in accordance with national development efforts and priorities;

4. *Recognizes* that the strength of the United Nations operational system lies in its legitimacy, at the country level, as a neutral, objective and trusted partner for both recipient countries and donor countries;

5. *Stresses* that national Governments have the primary responsibility for their countries' development, and recognizes the importance of national ownership of development programmes;

6. *Emphasizes* that recipient Governments have the primary responsibility for coordinating, on the basis of national strategies and priorities, all types of external assistance, including that provided by multilateral organizations, in order to integrate effectively such assistance into their development process;

7. *Emphasizes also* that the operational activities for development of the United Nations system should be valued and assessed on the basis of their impact on the recipient countries as contributions to enhance their capacity to pursue poverty eradication, sustained economic growth and sustainable development;

8. *Calls upon* the United Nations development system to highlight best practices, where these can inform national efforts to implement policies that promote sustained economic growth and sustainable development, inter alia, through the rule

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[303] The internationally agreed development goals, including those contained in the Millennium Declaration.

[304] A/59/84-E/2004/53, A/59/85-E/2004/68, A/59/386 and A/59/387.

of law and the strengthening of effective, efficient, transparent and accountable systems for mobilizing resources;

9. *Decides* that, with the agreement of the host country, the United Nations development system should assist national Governments in creating an enabling environment in which the links between national Governments, the United Nations development system, civil society, national non-governmental organizations and the private sector that are involved in the development process are strengthened, with a view to seeking new and innovative solutions to development problems in accordance with national policies and priorities;

10. *Stresses* that the purpose of reform is to make the United Nations development system more efficient and effective in its support to developing countries to achieve the internationally agreed development goals, on the basis of their national development strategies, and stresses also that reform efforts should enhance organizational efficiency and achieve concrete development results;

11. *Requests* the organizations of the United Nations system to continue their efforts to respond to national development plans, policies and priorities, which constitute the only viable frame of reference for programming their operational activities at the country level, and to pursue full integration of the operational activities for development at the country-level with national planning and programming, under the leadership of national Governments, at all stages of the process, while ensuring the full involvement of all relevant stakeholders at the national level;

12. *Welcomes* the efforts of the Secretary-General, through the members of the United Nations Development Group and the United Nations System Chief Executives Board for Coordination, as appropriate, to enhance the coherence, effectiveness and efficiency of the United Nations development system at the country level;

13. *Recognizes* that strengthening the role and capacity of the United Nations development system to assist countries in achieving their development goals requires continuing improvement in its effectiveness, efficiency, coherence and impact, along with a significant increase in resources and an expansion of its resource base on a continuous, more predictable and assured basis;

II

Funding for operational activities for development of the United Nations system

14. *Emphasizes* that increasing financial contributions to the United Nations development system is key to achieving the MDGs,[303] and in this regard recognizes the mutually reinforcing links between increased effectiveness, efficiency and coherence of the United Nations development system, achieving concrete results in assisting developing countries to eradicate poverty and achieve sustained economic growth and sustainable development through operational activities for development and the overall resourcing of the United Nations development system;

15. *Emphasizes also* that funding of operational activities for development of the United Nations system should focus on long-term development challenges based on national development strategies;

16. *Notes with concern* that the United Nations development system has not benefited commensurately from recent increases in official development assistance, despite the additional tasks entrusted to the United Nations system in the implementation of and follow-up to internationally agreed goals;

17. *Stresses* that core resources, because of their untied nature, continue to be the bedrock of the operational activities for development of the United Nations system, and in this regard notes with appreciation that core contributions to United Nations funds and programmes have begun to increase again over the last three years;

18. *Calls upon* donor countries and other countries in a position to do so to substantially increase their contributions to the core/regular budgets of the United Nations development system, in particular its funds and programmes, and wherever possible, to contribute on a multi-year basis;

19. *Urges* developed countries that have not yet done so to make concrete efforts to reach the targets of 0.7 per cent of their gross national product as official development assistance to developing countries and 0.15 to 0.20 per cent of their gross national product to least developed countries, as reconfirmed at the Third United Nations Conference on Least Developed Countries, held in Brussels from 14 to 20 May 2001,[305] encourages developing countries to build on progress achieved in ensuring that official development assistance is used effectively to help to achieve development goals and targets, acknowledges the efforts of all donors, commends those donors whose official development assistance contributions exceed, reach or are increasing towards the targets, and underlines the importance of undertaking to examine the means and time frames for achieving the targets and goals;[306]

20. *Notes* the increase in non-core resources as a mechanism to supplement the means of operational activities for development of the United Nations system, which contributes to an increase in total resources, while recognizing that non-core resources are not a substitute for core resources

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[305] See A/CONF.191/13.

[306] See paragraph 42 of the Monterrey Consensus (see *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), annex).

and that unearmarked contributions are vital for the coherence and harmonization of the operational activities for development;

21. *Invites* the governing bodies of all organizations of the United Nations development system to address systematically the funding of their operational activities and to explore, within the context of their multi-year planning and related financial frameworks, where appropriate, additional sources of financial support and alternative funding modalities so as to secure, on a predictable, continuous and sustained basis, the critical mass of resources required to ensure adequate functioning and pursuit of long-term development objectives;

22. *Requests* the Secretary-General to improve his annual statistical compendium to the operational activities segment of the Economic and Social Council by adding a multi-year perspective, fully incorporating available information and statistics;

23. *Requests* the Economic and Social Council to undertake triennially, as of 2006, a comprehensive review of trends and perspectives in funding for development cooperation;

24. *Requests* the Secretary-General, in consultation with Member States, to explore various funding options for increasing financing for operational activities for development of the United Nations system and to examine ways to enhance the predictability, long-term stability, reliability and adequacy of funding for the operational activities for development, including through the identification of possible new funding sources, as a follow-up to his report,[307] while preserving the advantages of the current funding modalities, and to submit a report to the General Assembly through the Economic and Social Council at its substantive session in 2005;

25. *Recognizes* the urgent and specific needs of low-income countries, in particular the least developed countries, and stresses the need to continue to assist those countries through the existing institutions and funding mechanisms of the United Nations development system;

III

Capacity-building

26. *Recognizes* that capacity development and ownership of national development strategies are essential for the achievement of the MDGs,[303] and calls upon United Nations organizations to provide further support to the efforts of developing countries to establish and/or maintain effective national institutions and to support the implementation and, as necessary, the devising of national strategies for capacity-building;

27. *Urges* all organizations of the United Nations development system to intensify inter-agency sharing of information at the system-wide level on good practices and experiences gained, results achieved, benchmarks and indicators, monitoring and evaluation criteria concerning their capacity-building activities;

28. *Encourages* all organizations of the United Nations development system to include reporting on their capacity-building activities in their annual reports to their respective governing bodies;

29. *Requests* the United Nations System Chief Executives Board for Coordination to analyse the capacity development efforts of the United Nations development system and to make recommendations on measures necessary to enhance their effectiveness, including through the improvement of the assessment and measurement of results;

30. *Calls upon* United Nations organizations to further strengthen the capacity of developing countries to better utilize the various aid modalities, including system-wide approaches and budget support;

31. *Also calls upon* United Nations organizations to adopt measures that ensure sustainability in capacity-building activities, and reiterates that the United Nations development system should use, to the fullest extent possible, national plans and available national expertise and technologies as the norm in the implementation of operational activities;

32. *Stresses* that developing countries, in order to meet the internationally agreed development goals, including those contained in the Millennium Declaration, should have access to new and emerging technologies, including information and communication technologies, which requires technology transfer, technical cooperation and the building and nurturing of scientific and technological capacity to participate in the development and adaptation of these technologies to local conditions, and in this regard urges Member States and the United Nations system to ensure the promotion and transfer of new and emerging technologies to developing countries;

33. *Encourages* the United Nations development system to support the national development strategies and plans of countries with economies in transition that face continuing difficulties in economic and social development, specifically to assist them in addressing the challenges of achieving the internationally agreed development goals, including those contained in the Millennium Declaration;

IV

Transaction costs and efficiency

34. *Invites* the governing bodies of all organizations of the United Nations system actively involved in development cooperation activities and their respective management to adopt harmonization and simplification measures, with a view to

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[307] A/59/387.

achieving a significant reduction in the administrative and procedural burden on the organizations and their national partners that derives from the preparation and implementation of operational activities;

35. *Notes* the progress achieved in the area of simplification and harmonization as defined in section VI of resolution 56/201, with the assistance of the United Nations Development Group, and calls upon the funds, programmes and the specialized agencies of the United Nations system to continue to implement the simplification and harmonization agenda by taking further steps to enhance and ensure the sustainability of that process;

36. *Requests* the funds, programmes and specialized agencies of the United Nations system to examine ways to further simplify their rules and procedures and, in this context, to accord the issue of simplification and harmonization high priority and to take concrete steps in the following areas: rationalization of country presence through common premises and co-location of members of United Nations country teams; implementation of the joint office model; common shared support services, including security, information technology, telecommunications, travel, banking and administrative and financial procedures, including for procurement; harmonization of the principles of cost recovery policies, including that of full cost recovery; alignment of the regional technical support structures and regional bureaux at headquarters level, including their regional coverage; as well as further simplification and harmonization measures;

37. *Requests* the Secretary-General, in full consultation with all members of the United Nations Development Group, through the Executive Committee of the Development Group, to submit to the Economic and Social Council, at its substantive session of 2005, a programme of work for the full implementation of the above-mentioned actions, to be completed before the end of 2007, including benchmarks, responsibilities and provisions to phase out redundant rules and procedures, as well as a timetable to monitor the progress made towards meeting these targets;

38. *Invites* the executive boards and governing bodies of the funds, programmes and specialized agencies to assess regularly the progress achieved in the area of simplification and harmonization of rules and procedures;

39. *Requests* the funds and programmes to provide, in their annual reports to the Economic and Social Council, specific information on the progress achieved in implementing the above-mentioned agenda;

40. *Requests* the United Nations Development Group to consult regularly with the United Nations System Chief Executives Board for Coordination on all activities undertaken to implement the above;

V

Coherence, effectiveness and relevance of operational activities for development

A. Common country assessment/United Nations Development Assistance Framework

41. *Requests* the United Nations system to conduct the common country assessment and the United Nations Development Assistance Framework processes as efforts to improve the support for national development priorities and policies, and stresses that full governmental ownership, participation and leadership is required at all stages of those processes;

42. *Welcomes* the efforts made so far by the United Nations system in the context of the improved functioning of the resident coordinator system, including through the common country assessment and the Framework, in order to achieve greater country-level programmatic coherence within the system and to foster teamwork among the organizations of the system, in particular those represented at the country level;

43. *Recognizes* that, in spite of these efforts, participation of the funds, programmes and agencies of the United Nations development system in country-level operational activities for development and coordination mechanisms still differs in level, quality and intensity, and that for some organizations it is inadequate, and in this context calls upon the United Nations development system to improve its country-level coordination so as to optimize its support to national development efforts, at the request of national authorities;

44. *Calls upon* the United Nations system to draw from its accumulated experience in all pertinent economic, social and other domains and to facilitate the access of developing countries to the services available within the system on the basis of its comparative advantages and expertise;

45. *Calls upon* the United Nations development system to foster an inclusive approach in promoting inter-agency collaboration, both at the country and headquarters levels, and requests the United Nations System Chief Executives Board for Coordination, in collaboration with the United Nations Development Group, to take the necessary steps to secure a more participatory involvement of the United Nations development system in the country-level operations and their coordination mechanisms, including through promotion, decentralization, the delegation of authority and multi-year programming, which will facilitate their participation in country-level coordination mechanisms;

46. *Stresses* the importance of the common country assessment as the common analytical tool of the United Nations system at the country level, including the specialized agencies, the regional commissions and other United Nations agencies with no country representation or limited country-level presence, which should contribute their accumulated analytical

and normative experience so as to enable the use of all capacities available within the United Nations system;

47. *Notes* the progress made by the United Nations operational system in developing and using the common country assessment, and stresses that the formulation of the assessment is meant to be short, light and flexible;

48. *Underlines* the complementarity of the common country assessment to other analytical processes, and urges all funds, programmes and agencies to avoid duplication by utilizing, to the maximum extent possible, the common country assessment as their own country-level analytical tool;

49. *Reiterates* that the ownership and full participation of national authorities in the preparation and development of the Framework are key to guaranteeing that it responds to the national development plans and poverty reduction strategies of the countries concerned, and requests the Secretary-General to develop the Framework and its results matrix where applicable, as the common programming tool for country-level contributions of the funds and programmes towards achieving the MDGs,[303] to be fully endorsed and countersigned by the national authorities;

50. *Notes* the potential of the Framework and its results matrix as the collective, coherent and integrated programming and monitoring framework for the operations of the United Nations development system at the country level, bringing increased opportunities for joint initiatives, including joint programming, and urges the United Nations development system to fully utilize such opportunities in the interest of enhancing aid efficiency and aid effectiveness;

51. *Requests* the Secretary-General, through the Executive Committee of the United Nations Development Group, in consultation with the United Nations System Chief Executives Board for Coordination, to ensure that United Nations Development Group agencies with multi-year programmes as well as the entities of the Secretariat that carry out operational activities in pursuit of the MDGs,[303] fully align their respective programming and monitoring with the Framework, as well as take further steps to harmonize their programming cycles and to synchronize them as far as possible with the national programming instruments, in particular the national poverty reduction strategies, including poverty reduction strategy papers, where they exist;

52. *Invites* the United Nations system and the Bretton Woods institutions to explore further ways to enhance cooperation, collaboration and coordination, including through the greater harmonization of strategic frameworks, instruments, modalities and partnership arrangements, in full accordance with the priorities of the recipient Governments, and in this regard emphasizes the importance of ensuring, under the leadership of national authorities, greater consistency between the strategic frameworks developed by the United Nations funds and programmes, agencies and the Bretton Woods institutions, while maintaining the institutional integrity and organizational mandates of each organization and the national poverty reduction strategies, including poverty reduction strategy papers, where they exist;

B. Resident coordinator system and United Nations country teams

53. *Reaffirms* that the resident coordinator system, within the framework of national ownership, has a key role to play in the effective and efficient functioning of the United Nations system at the country level, including in the formulation of the common country assessment and the United Nations Development Assistance Framework, and is a key instrument for the efficient and effective coordination of the operational activities for development of the United Nations system, and requests the United Nations system, including the funds and programmes, the specialized agencies and the Secretariat, to enhance support to the resident coordinator system;

54. *Urges* the United Nations system to provide further financial, technical and organizational support for the resident coordinator system, and requests the Secretary-General, in consultation with the members of the United Nations Development Group to ensure that resident coordinators have the necessary resources to fulfil their role effectively;

55. *Welcomes* the improvements in the selection process and training of the resident coordinators, and urges the members of the Executive Committee of the United Nations Development Group, in full consultation with the members of the Development Group, to develop a procedure for the common assessment of the performance of resident coordinators by all members of the United Nations country teams;

56. *Notes* that coordination activities, while beneficial, represent transaction costs that are borne by both recipient countries and the organizations of the United Nations system, and emphasizes the need for their continuous evaluation and for an analysis and assessment of costs compared with the total programme expenditures for operational activities for development in order to ensure maximum efficiency and feasibility;

57. *Reaffirms* that the utilization of advanced information and communication technologies by the United Nations system could contribute to enhanced information-sharing and knowledge management, resulting in more effective delivery of development cooperation by the United Nations system, and encourages United Nations organizations to intensify their efforts to expand the use of information and communication technologies and to further harmonize their information technology platforms;

58. *Requests* the Secretary-General, in full consultation with all agencies of the United Nations Development Group and the United Nations System Chief Executives Board for Coordination, as appropriate, to develop, by the end of 2005, a

comprehensive accountability framework for resident coordinators to exercise oversight of the design and implementation of the Framework, in a fully participatory manner, in support and under the leadership of national Governments;

59. *Underscores* the fact that the resident coordinator system is owned by the United Nations development system as a whole and that its functioning should be participatory, collegial and accountable;

60. *Also underscores* the fact that the management of the resident coordinator system continues to be firmly anchored in the United Nations Development Programme, while recognizing that many resident coordinators, especially in countries with large country teams, complex coordination situations or in situations of complex emergencies, lack the capacity to address equally well all tasks inherent to their functions, and in this regard requests that in such cases the United Nations Development Programme appoint, within the existing programming arrangement, a country director to run its core activities, including fund-raising, so as to assure that resident coordinators are fully available for their tasks;

61. *Requests* that, when raising funds, resident coordinators concentrate on raising funds for the whole of the United Nations at the country level;

VI

Country-level capacity of the United Nations system

62. *Reaffirms* the principle, as contained in resolutions 44/211 and 47/199, that the country-level presence of the United Nations system should be tailored to meet the specific development needs of recipient countries, as required by their country programmes;

63. *Emphasizes* the need for the range and level of skills and expertise assembled by the United Nations system at the country level to be commensurate with that needed to deliver on the priorities specified in each country's United Nations Development Assistance Framework, in line with the national development strategies and plans, including poverty reduction strategy papers, where they exist, and to correspond to the technical backstopping and capacity-building needs and requirements of the developing countries;

64. *Stresses* the principle that no core function of the Secretariat can be outsourced to operational bodies, in particular at the field level, without proper financial compensation;

65. *Invites* the governing bodies of the organizations of the United Nations development system to consider means to strengthen their country-level capacities, including through complementary measures at their headquarters;

VII

Evaluation of operational activities for development

66. *Requests* the Secretary-General to continue to assess the effectiveness of the operational activities for development of the United Nations system, including, in particular, by assessing the effective use of all capacities available to provide a comprehensive and flexible response to the demand of developing countries for development support, and to report on the results of this assessment in the context of the next triennial policy review at its sixty-second session;

67. *Reaffirms* that the effectiveness of operational activities should be assessed by their impact on the poverty eradication efforts, economic growth and sustainable development of recipient countries;

68. *Underlines* the fact that future assessments of the effectiveness of the operational activities for development of the United Nations system should make full use of the data and expertise available within the system and from national authorities in full collaboration with national stakeholders and United Nations entities;

69. *Recognizes* the need to optimize the linking of evaluation to performance in the achievement of development goals, and encourages the United Nations development system to strengthen its evaluation activities, with particular focus on development results, including through the effective use of the results matrix of the United Nations Development Assistance Framework, the systematic use of monitoring and evaluation approaches at the system-wide level and the promotion of collaborative approaches to the evaluation, including joint evaluations, and further encourages the United Nations Evaluation Group, under the aegis of the United Nations System Chief Executives Board for Coordination, to make further progress in system-wide collaboration on evaluation, in particular harmonization and simplification of methodologies, norms, standards and cycles of evaluation;

70. *Strongly encourages* country-level evaluations of the Framework at the end of the programming cycle, based on the results matrix of the Framework, with full participation and leadership of the recipient Government;

71. *Recognizes* that national Governments have primary responsibility for coordinating external assistance, including that from the United Nations system, and evaluating the impact of its contribution to national priorities;

72. *Requests* the United Nations development system to conduct evaluations of its operations at the country level, in close consultation with national Governments, and in this context stresses the need to assist Governments in the development of national evaluation capacities through, inter alia, better use of lessons learned from past activities at the country level;

73. *Also requests* the United Nations development system to consider, where appropriate, applying lessons learned in the course of monitoring and evaluation to programming processes;

74. *Stresses* the need for all organizations of the United Nations development system to implement their global, regional and country-level activities in accordance with their mandates and the priorities of the recipient countries, urges their governing bodies to ensure that the activities, responsibilities and operational strategies of each fund and programme are consistent with their mandates and the overall policy guidance set forth by the General Assembly and the Economic and Social Council and to report on these issues within the context of the annual reports submitted to the Council, and requests the Secretary-General to include an assessment of these issues in the report on the triennial comprehensive policy review prepared for the sixty-second session of the General Assembly;

75. *Requests* that the United Nations Development Programme conduct full consultation with the Member States prior to issuing global and regional flagship reports, in accordance with, inter alia, the principles contained in General Assembly resolution 57/264 of 20 December 2002;

VIII

Regional dimensions

76. *Calls upon* the organizations of the United Nations development system, its regional commissions and other regional and subregional entities, as appropriate and consistent with their mandates, to intensify their cooperation and adopt more collaborative approaches to support country-level development initiatives at the request of recipient countries, in particular through closer collaboration within the resident coordinator system and by improving mechanisms for access to the technical capacities of the United Nations system at the regional and subregional levels;

77. *Invites* the governing bodies of the organizations of the United Nations development system to give greater and more systematic consideration to the regional and subregional dimensions of development cooperation and to promote measures for more intensive inter-agency collaboration at the regional and subregional levels, facilitating inter-country exchanges of experience and promoting both intraregional and interregional cooperation, as appropriate;

78. *Encourages* development agencies of the United Nations system to seek to maximize the opportunity to address development challenges on a regional or subregional basis, where appropriate, recognizing the important contribution of regional cooperation to national and regional development;

IX

South-South cooperation and development of national capacities

79. *Welcomes* the growing importance of South-South cooperation and its adoption as a driver of development effectiveness within the multi-year funding framework of the United Nations Development Programme;

80. *Urges* organizations and bodies of the United Nations system to mainstream, in their programmes and through their country-level activities and country offices, modalities to support South-South cooperation that would promote identification and dissemination of best practices, promote indigenous knowledge, know-how and technology in the South and facilitate networking among experts and institutions in developing countries;

81. *Invites* Member States and the organizations of the United Nations development system to celebrate the United Nations Day for South-South Cooperation in a befitting and comprehensive manner every year;

82. *Emphasizes* the need to mobilize additional resources for enhancing South-South cooperation, including from both the United Nations system and donors, and through triangular cooperation;

83. *Urges* all Member States and the organizations of the United Nations development system to actively participate in the High-Level Committee on the Review of South-South Cooperation with a view to formulating and reviewing the strategies as well as sharing information and their experience;

84. *Encourages*, in this regard, United Nations funds and programmes, the specialized agencies as well as centres of excellence in the South to contribute to the periodic updating of the Web of Information for Development, the electronic databank operated by the Special Unit for South-South Cooperation of the United Nations Development Programme in coordination with Governments, allowing for the wide diffusion of and access to the information contained therein, including experiences, best practices and potential partners in South-South cooperation;

85. *Highlights* the fact that, in spite of progress achieved in this area, further efforts are required to better understand the approaches and potential of South-South cooperation to enhance development effectiveness, including through national capacity development, and in this context calls upon all the organizations of the system to further enhance their support for national capacity development in the context of South-South cooperation;

X

Gender

86. *Calls upon* all organizations of the United Nations system, within their organizational mandates, to mainstream a gender perspective and to pursue gender equality in their country programmes, planning instruments and sector-wide programmes and to articulate specific country-level goals and targets in this field in accordance with the national development strategies;

87. *Urges* all organizations of the system to collaborate with the resident coordinator system to provide gender specialist resources in support of gender mainstreaming in country-level activities in all sectors where they operate, working closely with relevant national counterparts in generating the gender disaggregated, quantitative and qualitative information required to produce better analysis of gender-related issues of development;

88. *Requests* all entities of the United Nations system to enhance the effectiveness of gender specialist resources, gender focal points and gender theme groups by establishing clear mandates, by ensuring adequate training, access to information and to adequate and stable resources, and by increasing the support and participation of senior staff;

89. *Calls upon* the United Nations development system to avail itself of the technical experience of the United Nations Development Fund for Women on gender issues;

90. *Encourages* the continuing efforts to achieve gender balance in appointments within the United Nations system at the headquarters and country levels in positions that affect operational activities, including resident coordinator appointments, with due regard to representation of women from developing countries and keeping in mind the principle of equitable geographic representation;

91. *Requests* the Secretary-General to ensure that the annual report on resident coordinators includes adequate and concise information on progress on the above;

XI

Transition from relief to development

92. *Takes note* of the ongoing work within the United Nations on the complex issue of transition from relief to development;

93. *Recognizes* that the United Nations development system has a vital role to play in situations of transition from relief to development;

94. *Requests* the organizations of the system to strengthen interdepartmental and inter-agency coordination to ensure an integrated, coherent and coordinated approach to assistance at the country level, which takes account of the complexity of challenges that countries in those circumstances face and the country-specific character of those challenges;

95. *Recognizes*, in this regard, the important role that the effective resident coordinator/humanitarian coordinator system can play in situations of transition from relief to development;

96. *Stresses*, in this regard, the need for such transitional activities to be undertaken under national ownership through the development of national capacities at all levels to manage the transition process;

97. *Recognizes* the benefits of sharing experience and expertise, and encourages the development of South-South cooperation modalities, including triangular cooperation modalities, to assist the transition from relief to development through, inter alia, the use of information technologies and knowledge management systems, as well as exchange of expertise to enable countries in that situation to benefit from the experience of other developing countries;

98. *Urges* the donor countries and other countries in a position to do so to consider more coordinated and flexible approaches to funding operational activities for development in situations of transition from relief to development, making use of multiple resource mobilization instruments, and stresses that contributions to humanitarian assistance should not be provided at the expense of development assistance and that sufficient resources for humanitarian assistance should be made available by the international community;

99. *Urges* United Nations agencies and the donor community, in coordination with the national authorities, to begin planning the transition to development and taking measures supportive of that transition, such as institutional and capacity-building, from the beginning of the relief phase;

XII

Follow-up

100. *Reaffirms* that the governing bodies of the funds, programmes and specialized agencies of the United Nations system should take appropriate actions for the full implementation of the present resolution, in line with paragraphs 91 and 92 of resolution 56/201;

101. *Requests* the Secretary-General, after consultation with the funds, programmes and specialized agencies of the United Nations system, to submit a report to the Economic and Social Council, at its substantive session of 2005, on an appropriate management process, containing clear guidelines, targets, benchmarks and time frames for the full implementation of the present resolution;

102. *Invites* the Economic and Social Council, during the operational activities segment of its substantive session of 2006, to examine the operational activities of the United Nations

system in order to evaluate the implementation of the present resolution with a view to ensuring its full implementation;

103. *Requests* the Secretary-General to submit to the General Assembly at its sixty-second session, through the Economic and Social Council, a comprehensive analysis of the implementation of the present resolution in the context of the triennial policy review, inter alia, by making use of relevant documentation, and to make appropriate recommendations.

RESOLUTION 59/251

Adopted at the 75th plenary meeting, on 22 December 2004, on the recommendation of the Committee (A/59/489, para. 11),[308] by a recorded vote of 156 to 5, with 11 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Australia, Cameroon, Central African Republic, Côte d'Ivoire, Dominican Republic, Haiti, Nauru, Tonga, Tuvalu, Vanuatu

59/251. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 58/229 of 23 December 2003, and taking note of Economic and Social Council resolution 2004/54 of 23 July 2004,

Recalling also its resolution 58/292 of 6 May 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[309] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[310] and recalling also its resolution ES-10/15 of 20 July 2004,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern also at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory during the recent period, including the uprooting of a vast number of olive trees,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire economic and social consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied

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[308] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Iraq, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates and Yemen.

[309] United Nations, *Treaty Series*, vol. 75, No. 973.

[310] See See A/ES-10/273 and Corr. 1.

Palestinian Territory, including in and around East Jerusalem, and of its grave effect on the economic and social conditions of the Palestinian people,

Reaffirming the need for the immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,[311] as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003, and for the achievement of a final settlement on all tracks,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan,[312]

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Calls upon* Israel, the occupying Power, not to exploit, damage, cause loss or depletion of or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Requests* the Secretary-General to report to it at its sixtieth session on the implementation of the present resolution, and decides to include in the provisional agenda of its sixtieth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

RESOLUTION 59/252

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/490/Add.1, para. 7)[313]

59/252. United Nations Institute for Training and Research

The General Assembly,

Recalling its resolutions 51/188 of 16 December 1996, 52/206 of 18 December 1997, 53/195 of 15 December 1998, 54/229 of 22 December 1999, 55/208 of 20 December 2000, 56/208 of 21 December 2001, 57/268 of 20 December 2002 and 58/223 of 23 December 2003,

Having considered the reports of the Secretary-General[314] and the Executive Director of the United Nations Institute for Training and Research,[315]

Acknowledging the work of the Board of Trustees of the United Nations Institute for Training and Research on the functioning of the Institute,

Noting the continued progress made by the Institute in its various programmes and activities, including the strengthened cooperation with other organizations of the United Nations system and with regional and national institutions,

Expressing its appreciation to the Governments and private institutions that have made or pledged financial and other contributions to the Institute,

Noting that the bulk of the resources contributed to the Institute are directed to the Special Purpose Grants Fund rather than to the General Fund, stressing the need to address that unbalanced situation, and also noting that the participation of the developed countries in training programmes in New York and Geneva is increasing,

Noting also that the Institute is self-funded, not receiving any kind of subsidies from the United Nations regular budget, and delivers, free of charge, training courses to diplomats and delegates accredited to United Nations Headquarters in New York and to the United Nations offices at Geneva, Vienna and Nairobi,

Noting further the various ongoing training programmes of the Institute, including those in the field of sustainable development,

Reiterating that training activities should be accorded a more visible and larger role in support of the management of international affairs and in the execution of the economic and social development programmes of the United Nations system,

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[311] S/2003/529, annex.

[312] A/59/89-E/2004/21.

[313] The draft resolution recommended in the report was introduced by the Rapporteur of the Committee.

[314] A/59/230.

[315] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 14* (A/59/14).

1. *Reaffirms* the importance of a coordinated United Nations system-wide approach to research and training, based on an effective coherent strategy and an effective division of work among the relevant institutions and bodies;

2. *Also reaffirms* the relevance of the United Nations Institute for Training and Research, in view of the growing importance of training within the United Nations and the training requirements of States, and the relevance of the training-related research activities undertaken by the Institute within its mandate;

3. *Welcomes* the progress made in building partnerships between the Institute and other organizations and bodies of the United Nations system with respect to their training programmes, and in this context underlines the need to develop further and to expand the scope of those partnerships, in particular at the country level;

4. *Notes with appreciation* the activities of the Institute's Regional Office for Asia and the Pacific in Hiroshima, Japan, during its first year of existence;

5. *Welcomes* the establishment of the Institute's Project Field Office in Dushanbe;

6. *Requests* the Board of Trustees of the Institute to continue to ensure fair and equitable geographical distribution and transparency in the preparation of the programmes and in the employment of experts, and in this regard stresses that the courses of the Institute should focus primarily on development issues and the management of international affairs;

7. *Renews its appeal* to all Governments, in particular those of developed countries, and to private institutions that have not yet contributed financially or otherwise to the Institute, to give it their generous financial and other support, and urges the States that have interrupted their voluntary contributions to consider resuming them in view of the successful restructuring and revitalization of the Institute;

8. *Encourages* the Board of Trustees to consider diversifying further the venues of the events organized by the Institute and to include the cities hosting regional commissions, in order to promote greater participation and reduce costs;

9. *Notes with appreciation* the one-time provision to cancel the Institute's past debts decided upon in section XIV of General Assembly resolution 58/272 of 23 December 2003;

10. *Stresses* the need for continued consideration of the issues related to the Institute's rent, rental rates and maintenance costs, taking into account its financial situation, with a view to its expeditious resolution;

11. *Encourages* the Board of Trustees of the Institute to continue its efforts to resolve the critical financial situation of the Institute, in particular with a view to broadening its donor base and to further increasing the contributions to the General Fund;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution, including details on the status of contributions to and the financial situation of the Institute, and decides to consider the issue of the periodicity of the agenda item entitled "Training and research" at its sixtieth session.

RESOLUTION 59/253

Adopted at the 75th plenary meeting, on 22 December 2004, without a vote, on the recommendation of the Committee (A/59/490/Add.2, para. 8)[316]

59/253. United Nations University

The General Assembly,

Reaffirming its previous resolutions on the United Nations University, including resolution 57/267 of 20 December 2002,

Having considered the report of the Council of the United Nations University, as presented by the Rector of the University on 16 November 2004,[317] and the report of the Secretary-General,[318]

Bearing in mind the importance of the intellectual contributions made by the University for the United Nations system,

Expressing its deep appreciation for the voluntary contributions made by Governments and other public and private entities in support of the University,

1. *Notes with satisfaction* the implementation of the "Strategic Plan, 2000", which lays out broad programmatic orientations with special focus on the priority concerns of the

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[316] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Andorra, Angola, Armenia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Canada, Cape Verde, Chile, Colombia, Comoros, Congo, Côte d'Ivoire, Croatia, Cyprus, Denmark, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Lithuania, Malawi, Malta, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Pakistan, Palau, Panama, Philippines, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Serbia and Montenegro, Slovenia, South Africa, Spain, Sudan, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Tuvalu, Ukraine, Viet Nam, Yemen, Zambia and Zimbabwe.

[317] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 31* (A/59/31).

[318] A/59/566.

United Nations and the need to bring together theory and practice in a global perspective, and requests the United Nations University to continue to attach importance to the priority agendas of the United Nations system;

2. *Highly appreciates* the successful steps taken by the University to promote the work and visibility of the University, including its research and training centres and programmes, to strengthen interaction with and contributions to the work of the United Nations system and to create new networks of activity with the academic communities in host countries, including Japan, and encourages the University to continue with such efforts;

3. *Expresses particular appreciation* of the University's support to scholars from developing countries and the countries with economies in transition, especially young scholars, through its capacity and network development activities;

4. *Notes with interest* the inauguration of the new research and training programme in Bonn, Germany, and encourages the University to continue with efforts towards creating a critical mass of viable research and training centres and programmes around the world, focused in particular on meeting the urgent needs and concerns of developing countries;

5. *Welcomes* the adoption and use by the University of computer-mediated dissemination and learning technologies through the United Nations University Online Learning initiative, and in particular the establishment of the Global Virtual University, which facilitates the intensification of activities in the areas of education and training, and encourages the further strengthening of these activities;

6. *Takes note with satisfaction* of the consolidation of the joint initiative by the University and the United Nations Office at Geneva to convene a yearly research and policy dialogue that is thematically focused and involves the United Nations system and other entities engaged in policy research and analysis;

7. *Encourages* the University to continue its efforts to implement the Secretary-General's suggestion on innovative measures to improve interaction and communication between the University and other United Nations entities, in particular by identifying and giving priority to common themes of interest;

8. *Requests* the Secretary-General to encourage other bodies of the United Nations system to utilize more fully the capacity of the University for mobilizing a worldwide network of applied policy researchers to assist the United Nations, through research and capacity development, in resolving pressing global problems;

9. *Appreciates* the efficiency gains achieved by the University in order to make optimal use of modest and limited resources, and emphasizes the continuing need for cost-effectiveness in conducting the activities of the University;

10. *Welcomes* the University's increasing efforts to widen and diversify its financial base, and invites the international community to make voluntary contributions to the University, in particular to its Endowment Fund, as a means of consolidating the distinctive identity of the University in the United Nations system and the international academic community;

11. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "United Nations University".

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RESOLUTION 59/146

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/491, para. 18)[1]

59/146. Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

The General Assembly,

Recalling the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995, and the twenty-fourth special session of the General Assembly, entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", held at Geneva from 26 June to 1 July 2000,

Reaffirming that the Copenhagen Declaration on Social Development and the Programme of Action[2] and the further initiatives for social development adopted by the General Assembly at its twenty-fourth special session[3] constitute the basic framework for the promotion of social development for all at the national and international levels,

Recalling the United Nations Millennium Declaration[4] and the development goals contained therein, as well as the commitments made at major United Nations summits, conferences and special sessions,

Considering that, despite the efforts made and the progress achieved in some areas of economic and social development, vast sectors of our societies, in particular in developing countries, especially the least developed countries, are still facing serious challenges, including financial crises, insecurity, poverty, exclusion and inequality in income growth and distribution, education and health, as well as environmental degradation,

Recalling the commitment to promote national and global economic systems based on the principles of justice, equity, democracy, participation, transparency, accountability and inclusion,

Recalling also its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

1. *Takes note with appreciation* of the report of the Secretary-General;[5]

2. *Welcomes* the contribution of the Commission for Social Development in the follow-up to and review of the further implementation of the commitments made at the World Summit for Social Development and the further initiatives agreed upon at the twenty-fourth special session of the General Assembly,[3] reaffirms that the Commission will continue to have the primary responsibility in this regard, and encourages Governments, the relevant specialized agencies, funds and programmes of the United Nations system and civil society to enhance their support to its work;

3. *Underlines* the significance of the forty-third session of the Commission for Social Development, which will mark the tenth anniversary of the World Summit for Social Development and at which the Commission will undertake a review of the implementation of the Copenhagen Declaration on Social Development and the Programme of Action[2] and the outcome of the twenty-fourth special session of the General Assembly, and recommends that the Commission reflect the outcome of its review, on an exceptional basis, in a short declaration to be elaborated during its forty-third session, reaffirming the agreed commitments and the need for continued implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session;

4. *Welcomes* the decision by the Economic and Social Council, in its resolution 2004/58 of 23 July 2004, that the Commission for Social Development at its forty-third session should convene high-level plenary meetings, open to the participation of all States Members of the United Nations and observers, on the implementation of the Copenhagen Declaration and the Programme of Action and the outcome of

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[1] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

[2] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[3] Resolution S-24/2, annex.

[4] See resolution 55/2.

[5] A/59/120.

the twenty-fourth special session of the General Assembly, and also welcomes the request of the Council to the Chairman of the Commission at its forty-third session to transmit the outcome, through the Council, to the Assembly at its sixtieth session, including to the high-level event of the Assembly on the review of the United Nations Millennium Declaration[4] in 2005;

5. *Recommends* that the Commission for Social Development, at its forty-third session and in undertaking the review of the implementation of the Copenhagen Declaration and the Programme of Action and the outcome of the twenty-fourth special session of the General Assembly, give particular attention to the people-centred approach and to its concrete implementation, as set out in the Copenhagen Declaration and the Programme of Action and the outcome of the twenty-fourth special session, and that it emphasize the sharing of experiences and good practices in overcoming challenges to the implementation of the Copenhagen Declaration and the Programme of Action and the outcome of the twenty-fourth special session;

6. *Reaffirms* that the aim of social integration is to create a society for all, in which every individual, each with rights and responsibilities, has an active role to play, and that such an inclusive society must be based on respect for all human rights and fundamental freedoms, cultural and religious diversity, social justice and the special needs of vulnerable and disadvantaged groups, democratic participation and the rule of law;

7. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

8. *Reaffirms* the commitment to gender equality and to strengthening policies and programmes that improve, ensure and broaden the full participation of women in all spheres of political, economic, social and cultural life, as equal partners, and to improving their access to all resources needed for the full exercise of all their human rights and fundamental freedoms by removing persistent barriers;

9. *Stresses* the vital importance of achieving social development for all and of integrating social development objectives, as set out in the Copenhagen Declaration and the Programme of Action and in the further initiatives for social development, into economic policy-making, including into policies that influence domestic and global market forces and the global economy;

10. *Recognizes* that globalization and interdependence are opening new opportunities through trade, investment and capital flows and advances in technology, including information technology, for the growth of the world economy and the development and improvement of living standards around the world, while at the same time there remain serious challenges, including serious financial crises, insecurity, poverty, exclusion and inequality within and among societies and considerable obstacles to further integration and full participation in the global economy for developing countries, and that unless the benefits of social and economic development are extended to all countries, a growing number of people in all countries and even entire regions will remain marginalized from the global economy, and in this regard reiterates the need for further action in order to overcome those obstacles affecting peoples and countries and to realize the full potential of opportunities presented for the benefit of all;

11. *Looks forward*, in this context, to further consideration of the impact of globalization on social development at the forty-third session of the Commission for Social Development, taking note of the report of the World Commission on the Social Dimension of Globalization;[6]

12. *Reaffirms* the need to place people at the centre of all development policies in order to eradicate poverty, promote full and productive employment and foster social integration so as to promote stable, safe and just societies for all;

13. *Underlines* the importance of adopting effective measures, including new financial mechanisms, as appropriate, to support the efforts of developing countries to achieve sustained economic growth, sustainable development, poverty reduction and the strengthening of their democratic systems, while reaffirming that each country has primary responsibility for its own economic and social development and that national policies have the leading role in the development process;

14. *Emphasizes* the importance of integrating economic and social policies in promoting human resources development and enhancing the process of development, invites the Economic and Social Council and the Commission for Social Development to continue to give particular attention to this issue at their forthcoming sessions, and invites the various entities of the United Nations system, within their respective mandates, to take into account the integration of economic and social policies in their respective domains;

15. *Recognizes* that, while action taken to implement the outcomes of the major United Nations summits, conferences and special sessions in the economic, social and related fields held during the past ten years will further promote social development, strengthened and effective international and regional cooperation and assistance for development and progress towards increased participation, greater social justice and improved equity in societies will also be required;

16. *Recognizes also* that achieving the internationally agreed development goals, including those contained in the

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[6] International Labour Office, *A Fair Globalization: Creating Opportunities for All* (Geneva, 2004); see also A/59/98-E/2004/79.

Millennium Declaration, demands a new partnership between developed and developing countries, and in this context stresses the importance of achieving sound policies, good governance at all levels and the rule of law, as well as mobilizing domestic resources, attracting international flows, promoting international trade as an engine for development, increasing international and financial and technical cooperation for development, sustainable debt financing and external debt relief and enhancing the coherence and consistency of the international monetary, financial and trading systems;

17. *Stresses* the necessity of ensuring the effective involvement of developing countries in the international economic decision-making process through, inter alia, greater participation in international economic forums, thereby ensuring the transparency and accountability of international financial institutions with respect to according a central position to social development in their policies and programmes;

18. *Reaffirms* the call of the Economic and Social Council for enhanced coordination within the United Nations system and the ongoing efforts to harmonize the current initiatives on Africa, and requests the Commission for Social Development to continue to give due prominence in its work to the social dimension of the New Partnership for Africa's Development;[7]

19. *Reaffirms also* that education, employment creation and improvement in working conditions, which are some of the indispensable elements of poverty eradication, social integration, gender equality and overall development, should be at the centre of development strategies and international cooperation in support of national policies, and recognizes the need to promote employment that meets labour standards as defined in relevant instruments of the International Labour Organization and other international instruments;

20. *Encourages*, in this context, current initiatives of the United Nations system on the elaboration of comprehensive employment strategies and measures to foster youth employment, bearing in mind relevant international instruments pertaining to youth;

21. *Reaffirms* that social development requires the active involvement of all actors in the development process, including civil society organizations, corporations and small businesses, and that partnerships among all relevant actors are increasingly becoming part of national and international cooperation for social development, reaffirms also that, within countries, partnerships among the Government, civil society and the private sector can contribute effectively to the achievement of social development goals, and underlines the fact that, at the international level, the recent initiatives towards building voluntary partnerships for social development should be encouraged and discussed further at, inter alia, the intergovernmental level;

22. *Underlines* the responsibility of the private sector, at both the national and the international levels, including small and large companies and transnational corporations, regarding not only the economic and financial, but also the development, social, gender and environmental implications of their activities, their obligations towards their workers and their contributions to achieving sustainable development, including social development, and emphasizes the need to take concrete actions within the United Nations system and through the participation of all relevant stakeholders on corporate responsibility and accountability;

23. *Invites* the Secretary-General, the Economic and Social Council, the Commission for Social Development, the regional commissions, the relevant specialized agencies, funds and programmes of the United Nations system and other intergovernmental forums, within their respective mandates, to continue to integrate into their work programmes and give priority attention to the commitments and undertakings set out in the Copenhagen Declaration and the Programme of Action and in the further initiatives for social development, to continue to be actively involved in their follow-up and to monitor the achievement of those commitments and undertakings;

24. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly", and requests the Secretary-General to submit a report on this question to the Assembly at that session.

RESOLUTION 59/147

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/492, para. 25)[8]

59/147. Celebration of the tenth anniversary of the International Year of the Family and beyond

The General Assembly,

Recalling its resolutions 44/82 of 8 December 1989, 45/133 of 14 December 1990, 46/92 of 16 December 1991, 47/237 of 20 September 1993, 50/142 of 21 December 1995, 52/81 of 12 December 1997, 54/124 of 17 December 1999, 56/113 of 19 December 2001, 57/164 of 18 December 2002 and 58/15 of 3 December 2003 concerning the proclamation of, preparations for and observance of the International Year of the Family in 1994 and its tenth anniversary in 2004,

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[7] A/57/304, annex.

[8] The draft resolution recommended in the report was submitted by the Economic and Social Council.

Recalling also that relevant United Nations instruments on human rights as well as relevant global plans and programmes of action call for the widest possible protection and assistance to be accorded to the family, bearing in mind that in different cultural, political and social systems various forms of the family exist,

Recalling further that the family is the basic unit of society and, as such, should be strengthened, and that it is entitled to receive comprehensive protection and support,

Noting that the family-related provisions of the outcomes of the major United Nations conferences and summits of the 1990s and their follow-up processes continue to provide policy guidance on ways to strengthen family-centred components of policies and programmes as part of an integrated comprehensive approach to development,

Recognizing that the preparations for and observance of the tenth anniversary of the International Year of the Family provided a useful opportunity for drawing further attention to the objectives of the Year for increasing cooperation at all levels on family issues,

Recognizing also the commendable efforts made by Governments at the local and national levels in carrying out specific programmes concerning families,

Emphasizing that equality between women and men and respect for all the human rights and fundamental freedoms of all family members are essential to family well-being and to society at large, noting the importance of reconciliation of work and family life, and recognizing the principle that both parents have common responsibilities for the upbringing and development of the child,

Aware that families are affected by social and economic changes, manifested as observable worldwide trends, and that the causes and consequences of those trends concerning families have to be identified and analysed,

Noting with concern the devastating effects of the HIV/AIDS pandemic on family life, as well as the devastating effects on family life of other infectious diseases, such as malaria and tuberculosis,

Noting with concern also the devastating effects of difficult social and economic conditions, armed conflicts and natural disasters on family life,

Recognizing the important role of non-governmental organizations, at both the local and the national levels, working in the interest of families,

Aware that there is a need for continued inter-agency cooperation on the family in order to generate greater awareness of family issues among the governing bodies of the United Nations system,

Recalling that the tenth anniversary of the International Year of the Family will be observed and celebrated during the fifty-ninth session of the General Assembly,

Having considered the report of the Secretary-General,[9]

1. *Notes* that the follow-up to the tenth anniversary of the International Year of the Family is an integral part of the agenda and the multi-year programme of work of the Commission for Social Development until 2006;

2. *Urges* Governments to continue to take sustained action at all levels concerning family issues, including applied studies and research, in order to promote the role of families in development and develop concrete measures and approaches to address national priorities in dealing with family issues;

3. *Urges* the international community to address family-related concerns within the framework of the commitments undertaken at relevant major United Nations conferences and their follow-up processes, including those agreed to in the Declaration of Commitment on HIV/AIDS adopted by the General Assembly at its twenty-sixth special session on 27 June 2001;[10]

4. *Encourages* more inter-agency cooperation within the United Nations system on issues relating to the family;

5. *Encourages* the regional commissions of the United Nations, within existing resources, to promote further the exchange of experiences at the regional level through the provision of technical assistance, including advisory services, to Governments upon request;

6. *Emphasizes* that the Secretariat should continue its important role in the programme of work on family issues within the United Nations system, and, in this regard, encourages the Department of Economic and Social Affairs, within existing resources, to continue to cooperate with Governments, the United Nations system and civil society in strengthening national capacities through the implementation of the mandated objectives of the International Year of the Family, including through:

(*a*) The provision of policy guidance on emerging issues and trends affecting the family through the preparation of studies and research papers aimed, in particular, at enhancing the role of the family in society;

(*b*) The provision of technical assistance to countries, upon request, to enhance, where appropriate, their national capacities in the area of family-related work;

7. *Invites* the Secretary-General, within existing resources, to disseminate a compilation of existing development

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[9] E/CN.5/2004/3.

[10] Resolution S-26/2, annex.

cooperation activities of the United Nations system in the field of the family for the benefit of the Department of Economic and Social Affairs, other relevant United Nations bodies, Member States and observers by the time of the holding of the forty-fourth session of the Commission for Social Development;

8. *Requests* the Secretary-General:

(*a*) To give appropriate consideration to the tenth anniversary of the International Year of the Family by preparing for the observance of the International Day of Families on 15 May 2004 and by taking appropriate steps for the celebration of the tenth anniversary of the International Year of the Family;

(*b*) To continue to utilize the United Nations Trust Fund on Family Activities to provide financial assistance for activities specific to the family and for projects of direct benefit to it, with special focus on least developed and developing countries;

9. *Also requests* the Secretary-General to report on the implementation of the present resolution to the General Assembly at its sixtieth session.

RESOLUTION 59/148

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/492, para. 25)[11]

59/148. Policies and programmes involving youth: tenth anniversary of the World Programme of Action for Youth to the Year 2000 and Beyond

The General Assembly,

Recalling its resolution 50/81 of 14 December 1995, by which it adopted the World Programme of Action for Youth to the Year 2000 and Beyond, annexed thereto,

Recalling also its resolution 58/133 of 22 December 2003, in which it, inter alia, recommended devoting two plenary meetings at its sixtieth session, in 2005, to review the situation of youth and achievements attained in the implementation of the World Programme of Action ten years after its adoption,

Recognizing the importance of the full and effective participation of young people and youth organizations at the local, national, regional and international levels in promoting and implementing the World Programme of Action and in evaluating the progress achieved and the obstacles encountered in its implementation,

1. *Decides* to convene, at its sixtieth session, two plenary meetings of the General Assembly devoted to the evaluation of the progress made in the implementation of the World Programme of Action for Youth to the Year 2000 and Beyond, to be held during the general debate of the Third Committee under the agenda item entitled "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family";

2. *Decides also* to hold, prior to the plenary meetings, an informal, interactive round-table discussion on the theme "Young people: making commitments matter", which will be open to the participation of Member States, observers, organizations of the United Nations system and non-governmental youth organizations;

3. *Decides further* that one youth representative from a Member State shall orally present a summary of the informal round-table discussion to the General Assembly at the beginning of the plenary meeting;

4. *Urges* Member States to consider being represented by youth representatives to address the plenary on this occasion, as well as in the above-mentioned informal round-table discussion, bearing in mind the principle of gender balance;

5. *Decides* to facilitate access to United Nations Headquarters by the non-governmental organizations that were accredited to the World Conference of Ministers Responsible for Youth in 1998 and interested non-governmental organizations that are neither in consultative status with the Economic and Social Council nor were accredited to the World Conference to participate in the informal round-table discussions and side events to be held during the tenth anniversary of the World Programme of Action;

6. *Urges*, in recognition of the importance of ensuring the equitable geographical participation of non-governmental youth organizations in the tenth anniversary of the World Programme of Action, relevant United Nations entities to assist non-governmental organizations that do not have the resources, in particular non-governmental organizations from developing countries, including the least developed countries and countries with economies in transition, to participate in the tenth anniversary;

7. *Requests* the Secretary-General to disseminate widely to the community of non-governmental youth

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[11] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Ireland, Israel, Italy, Jamaica, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Namibia, Netherlands, Nicaragua, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Zambia and Zimbabwe.

organizations all available information on the events associated with the tenth anniversary of the World Programme of Action;

8. *Decides* that the arrangements outlined in paragraph 5 above shall in no way create a precedent for other similar events;

9. *Notes with appreciation* the ongoing efforts of the United Nations system to solicit input from youth organizations and young people into the current review of the World Programme of Action, as requested by the General Assembly in paragraph 14 of its resolution 58/133, and invites the Secretary-General to provide an overview of the input gathered from youth organizations as a supplement to his report to the Assembly at its sixtieth session.

RESOLUTION 59/149

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/492, para. 25)[12]

59/149. United Nations Literacy Decade: education for all

The General Assembly,

Recalling its resolution 56/116 of 19 December 2001, by which it proclaimed the ten-year period beginning on 1 January 2003 the United Nations Literacy Decade, and its resolution 57/166 of 18 December 2002, in which it welcomed the International Plan of Action for the United Nations Literacy Decade,

Recalling also the United Nations Millennium Declaration,[13] in which Member States resolved to ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education, which requires a renewed commitment to promote literacy for all,

Reaffirming that a basic education is crucial to nation-building, that literacy for all is at the heart of basic education for all and that creating literate environments and societies is essential for achieving the goals of eradicating poverty, reducing child mortality, curbing population growth, achieving gender equality and ensuring sustainable development, peace and democracy,

Convinced that literacy is crucial to the acquisition by every child, youth and adult of the essential life skills that will enable them to address the challenges that they can face in life, and represents an essential step in basic education, which is an indispensable means for effective participation in the societies and economies of the twenty-first century,

Affirming that the realization of the right to education, especially for girls, contributes to the promotion of gender equality and the eradication of poverty,

Welcoming the considerable efforts that have been made to address the objectives of the Decade at various levels,

Noting with concern that over 100 million children are not in school and some 800 million adults are illiterate today, that the issue of illiteracy may not be sufficiently high on national agendas to generate the kind of political and economic support required to address global illiteracy challenges, and that the world is unlikely to meet those challenges if the present trends continue,

Deeply concerned about the persistence of the gender gap in education, which is reflected by the fact that nearly two thirds of the world's adult illiterates are women,

1. *Takes note* of the report of the Secretary-General, prepared in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, on the implementation of the International Plan of Action for the United Nations Literacy Decade,[14] as well as the report prepared by the Joint Inspection Unit on achieving the universal primary education goal of the United Nations Millennium Declaration;[15]

2. *Welcomes* the efforts made so far by Member States and the international community in launching the Decade and implementing the International Plan of Action;

3. *Appeals* to all Governments to develop reliable literacy data and information and to further reinforce political will, mobilize adequate national resources, develop more inclusive policy-making environments and devise innovative strategies for reaching the poorest and most marginalized groups and for seeking alternative formal and non-formal approaches to learning with a view to achieving the goals of the Decade;

4. *Urges* all Governments to take the lead in coordinating the activities of the Decade at the national level, bringing all relevant national actors together in a sustained

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[12] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Angola, Armenia, Austria, Bangladesh, Belarus, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, China, Congo, Costa Rica, Croatia, Cuba, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Finland, Greece, Guyana, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malaysia, Monaco, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, Niger, Nigeria, Panama, Philippines, Portugal, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Suriname, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, Turkey, Ukraine, United States of America, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam and Zambia.

[13] See resolution 55/2.

[14] See A/59/267.

[15] See A/59/76 and Add.1 and Add.1/Corr.1.

dialogue and collaborative action on policy formulation, implementation and evaluation of literacy efforts;

5. *Appeals* to all Governments and professional organizations to strengthen national and professional educational institutions in their countries with a view to expanding their capacity and promoting the quality of education, with particular focus on literacy;

6. *Appeals* to all Governments and to economic and financial organizations and institutions, both national and international, to lend greater financial and material support to the efforts to increase literacy and achieve the goals of Education for All and those of the Decade, through, inter alia, the 20/20 initiative,[16] as appropriate;

7. *Invites* Member States, the specialized agencies and other organizations of the United Nations system, as well as relevant intergovernmental and non-governmental organizations, to intensify their efforts to implement effectively the International Plan of Action, and to integrate substantially those efforts in the Education for All process and other initiatives and activities of the United Nations Educational, Scientific and Cultural Organization and within the framework of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[13]

8. *Requests* the United Nations Educational, Scientific and Cultural Organization to reinforce its lead coordinating role in stimulating and catalysing the activities undertaken at the international level within the framework of the Decade in a manner that is complementary to and coordinated with the ongoing Education for All process, with the internationally agreed development goals, including those contained in the Millennium Declaration, and with other global initiatives;

9. *Requests* all relevant entities of the United Nations system, particularly the United Nations Educational, Scientific and Cultural Organization, in cooperation with national Governments, to take immediate, concrete steps to address the needs of countries with high illiteracy rates and/or with large populations of illiterate adults, with particular regard to women;

10. *Requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to seek the views of Member States on the progress achieved in implementing their national programmes and plans of action for the Decade and to submit progress reports on the implementation of the International Plan of Action to the General Assembly on a biennial basis, beginning in 2006;

11. *Decides* to include in the provisional agenda of its sixty-first session, under the item entitled "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family", the sub-item entitled "United Nations Literacy Decade: education for all".

RESOLUTION 59/150

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/493, para. 14)[17]

59/150. Follow-up to the Second World Assembly on Ageing

The General Assembly,

Recalling its resolution 57/167 of 18 December 2002, in which it endorsed the Political Declaration and the Madrid International Plan of Action on Ageing, 2002,[18] as well as its resolution 58/134 of 22 December 2003, in which it took note, inter alia, of the road map for the implementation of the Madrid Plan of Action,

Recalling also Economic and Social Council resolution 2003/14 of 21 July 2003, in which the Council invited Governments, the United Nations system and civil society to participate in a "bottom-up" approach to the review and appraisal of the Madrid Plan of Action,

Recalling further Commission for Social Development resolution 42/1 of 13 February 2004, entitled "Modalities for the review and appraisal of the Madrid International Plan of Action on Ageing, 2002",[19] in which the Commission decided to undertake a review and appraisal of the Madrid Plan of Action every five years, with each review and appraisal cycle to focus on one of the priority directions of the Madrid Plan of Action,

1. *Recommends* that ongoing efforts to achieve the internationally agreed development goals, including those

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[16] See *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II, para. 88 (*c*).

[17] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

[18] *Report of the Second World Assembly on Ageing, Madrid, 8–12 April 2002* (United Nations publication, Sales No. E.02.IV.4), chap. I, resolution 1, annexes I and II.

[19] See *Official Records of the Economic and Social Council, 2004, Supplement No. 6* (E/2004/26), chap. I, sect. E.

contained in the United Nations Millennium Declaration,[20] take into account the situation of older persons;

2. *Calls upon* Governments and the agencies and organizations of the United Nations system, within their mandates, and encourages the non-governmental community, to ensure that the challenges of population ageing and the concerns of older persons are adequately incorporated into their programmes and projects;

3. *Invites* Member States and the organizations and bodies of the United Nations system to take into account the needs and concerns of older persons in decision-making at all levels;

4. *Stresses* the need for additional capacity-building at the national level in order to promote and facilitate the implementation of the Madrid International Plan of Action on Ageing, 2002,[21] and in this connection, encourages Governments to support the United Nations Trust Fund for Ageing to enable the Department of Economic and Social Affairs of the Secretariat to provide expanded assistance to countries, upon their request;

5. *Invites* Governments, intergovernmental organizations and non-governmental organizations to encourage and support comprehensive, diversified and specialized research on ageing in all countries;

6. *Invites* the functional commissions of the Economic and Social Council to integrate the issues of population and individual ageing into their work in order to promote the implementation of the Madrid Plan of Action;

7. *Recommends* that the Commission on the Status of Women continue to consider the situation of older women, in particular those who are most vulnerable, including those living in rural areas;

8. *Encourages* those regional commissions that have not yet done so to elaborate a regional strategy for the implementation of the Madrid Plan of Action;

9. *Takes note* of Commission for Social Development resolution 42/1,[19] and in this context requests the Secretary-General to present his proposals for conducting the review and appraisal exercise at the regional and global levels to the Commission at its forty-fourth session;

10. *Requests* the organizations and bodies of the United Nations system to continue to strengthen the capacity of the focal points on ageing and to provide them with adequate resources for the further implementation of the Madrid Plan of Action, in particular through appropriate mainstreaming action;

11. *Stresses* the importance of the collection of data and population statistics disaggregated by age and sex on all aspects of policy formulation by all countries, and encourages the relevant entities of the United Nations system to support national efforts in capacity-building, especially those of developing countries and countries with economies in transition, takes note in this context of the establishment by the United Nations of an Internet-accessible database on ageing, and invites States to submit, whenever possible, information for inclusion in the database;

12. *Takes note* of the report of the Secretary-General,[22] and requests that it be forwarded to the Commission for Social Development at its forty-third session in order to assist the Commission in its deliberations;

13. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/151

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/494, para. 39)[23]

59/151. Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, in which it stipulated the guidelines in accordance with which, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme,[24] should be held,

Recalling also its resolution 57/170 of 18 December 2002 on the follow-up to the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[25]

Recalling further its resolution 57/171 of 18 December 2002, in which it decided that the main theme of the Eleventh United Nations Congress on Crime Prevention and Criminal

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[20] See resolution 55/2.

[21] *Report of the Second World Assembly on Ageing, Madrid, 8–12 April 2002* (United Nations publication, Sales No. E.02.IV.4), chap. I, resolution 1, annex II.

[22] A/59/164.

[23] The draft resolution recommended in the report was submitted by the Economic and Social Council.

[24] Resolution 46/152, annex.

[25] Resolution 56/261, annex.

Justice should be "Synergies and responses: strategic alliances in crime prevention and criminal justice",

Recalling its resolution 58/138 of 22 December 2003, in which it requested the Commission on Crime Prevention and Criminal Justice to accord sufficient time at its thirteenth session to reviewing the progress made in the preparations for the Eleventh Congress, to finalize in good time all the necessary organizational and substantive arrangements and to make its final recommendations, through the Economic and Social Council, to the General Assembly,

Recognizing the significant contributions of the congresses in promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines,

Recognizing also the efforts already made by the Government of Thailand to prepare for the hosting of the Eleventh Congress in Bangkok from 18 to 25 April 2005,

Stressing the importance of undertaking all the preparatory activities for the Eleventh Congress in a timely and concerted manner,

1. *Takes note with appreciation* of the report of the Secretary-General;[26]

2. *Also takes note with appreciation* of the discussion guide[27] prepared by the Secretary-General, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, for the regional preparatory meetings for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice;

3. *Acknowledges* the relevance of the regional preparatory meetings, which have examined the substantive items of the agenda and the workshop topics of the Eleventh Congress and made action-oriented recommendations[28] to serve as a basis for the draft declaration to be adopted by the Eleventh Congress;

4. *Requests* the Commission on Crime Prevention and Criminal Justice to begin preparation of a draft declaration at intersessional meetings to be held following its thirteenth session, for submission to the Eleventh Congress at least one month prior to its commencement, taking into account the recommendations of the regional preparatory meetings;

5. *Approves* the draft programme of work for the Eleventh Congress and the documentation relating thereto;

6. *Reiterates* its decision, contained in its resolution 58/138, that the high-level segment of the Eleventh Congress shall be held during the last three days of the Congress in order to allow Heads of State or Government or government ministers to focus on the main substantive agenda items of the Congress;

7. *Emphasizes* the importance of the workshops to be held during the Eleventh Congress, and invites Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the United Nations Office on Drugs and Crime and to the institutes of the United Nations Crime Prevention and Criminal Justice Programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

8. *Invites* donor countries to cooperate with developing countries to ensure their full participation in the workshops, and encourages States, other entities concerned and the Secretary-General to work together in order to ensure that the workshops focus on the respective issues and achieve practical results, leading to technical cooperation ideas, projects and documents related to enhancing bilateral and multilateral efforts in technical assistance activities in crime prevention and criminal justice;

9. *Reiterates its invitation* to Governments and relevant intergovernmental and non-governmental organizations to inform the Eleventh Congress about their activities aimed at putting into practice the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[25] with a view to providing guidance in the formulation of legislation, policies and programmes in the field of crime prevention and criminal justice at the national and international levels, and, to that end, requests the Secretary-General to compile that information and to prepare a report on the subject to be submitted to the Eleventh Congress for consideration;

10. *Reiterates its request* to the Secretary-General to make available the resources necessary to ensure the participation of the least developed countries in the Eleventh Congress, in accordance with past practice;

11. *Encourages* Governments to make preparations for the Eleventh Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees, with a view to contributing to a focused and productive discussion on the topics and to participating actively in the organization and conduct of the workshops, the submission of national position papers on the various substantive items of the agenda and the encouragement of contributions from the academic community and relevant scientific institutions;

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[26] E/CN.15/2004/11.

[27] A/CONF.203/PM.1 and Corr.1.

[28] See A/CONF.203/RPM.1/1, A/CONF.203/RPM.2/1, A/CONF.203/RPM.3/1 and Corr.1 and A/CONF.203/RPM.4/1.

12. *Reiterates its invitation* to Member States to be represented at the Eleventh Congress at the highest possible level, for example by Heads of State or Government or government ministers and attorneys general, and to participate actively in the high-level segment;

13. *Requests* the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Eleventh Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress;

14. *Encourages* the relevant specialized agencies and programmes of the United Nations system and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Eleventh Congress;

15. *Requests* the Secretary-General to ensure, in collaboration with Member States, a wide and effective programme of public information relating to the preparations for the Eleventh Congress, to the Congress itself and to the follow-up to and implementation of its recommendations;

16. *Welcomes* the appointment, by the Secretary-General, of a Secretary-General and an Executive Secretary of the Eleventh Congress, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

17. *Requests* the Secretary-General to prepare an overview of the state of crime and criminal justice worldwide for presentation at the Eleventh Congress, in accordance with past practice;

18. *Calls upon* the Eleventh Congress to formulate concrete proposals for further follow-up and action, paying particular attention to practical arrangements relating to the effective implementation of the international legal instruments pertaining to transnational organized crime, terrorism and corruption and technical assistance activities relating thereto;

19. *Requests* the Commission on Crime Prevention and Criminal Justice at its fourteenth session to give high priority to considering the conclusions and recommendations of the Eleventh Congress, with a view to recommending, through the Economic and Social Council, appropriate follow-up by the General Assembly at its sixtieth session;

20. *Requests* the Secretary-General to ensure proper follow-up to the present resolution and to report thereon, through the Commission on Crime Prevention and Criminal Justice, to the General Assembly at its sixtieth session.

RESOLUTION 59/152

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/494, para. 39)[29]

59/152. Assistance to least developed countries to ensure their participation in the sessions of the Commission on Crime Prevention and Criminal Justice and the sessions of conferences of States parties

The General Assembly,

Recalling its resolution 55/2 of 8 September 2000, by which it adopted the United Nations Millennium Declaration, and in particular paragraph 15 of the Millennium Declaration, in which the Heads of State and Government undertook to address the special needs of the least developed countries,

Recalling also its resolution 58/228 of 23 December 2003, in particular paragraph 9 thereof, in which it requested the Secretary-General to take appropriate measures, within existing resources and with the full participation of the regional commissions and relevant United Nations bodies, to support the participation of the least developed countries in international meetings, as well as in their preparation and consultation processes,

Stressing the need for the effective and timely ratification of the United Nations conventions and protocols relating to transnational organized crime, corruption and terrorism and their subsequent implementation,

Recognizing the critical significance of those instruments, which provide a legal framework for strengthening international cooperation, based on mutual commitments by the least developed countries and their development partners to undertake specific action to ensure the full implementation of the provisions of the instruments,

Welcoming the contributions already made by multilateral and bilateral donors to ensure the participation of representatives of least developed countries in the negotiation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[30] as well as the United Nations Convention against Corruption,[31]

Emphasizing the importance of the effective participation of all relevant stakeholders from the least developed countries, developing countries and countries with economies in transition in the sessions of the Commission on Crime Prevention and Criminal Justice and in the sessions of the Conference of the

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[29] The draft resolution recommended in the report was submitted by the Economic and Social Council.

[30] Resolution 55/25, annexes I–III, and resolution 55/255, annex.

[31] Resolution 58/4, annex.

Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption,

1. *Calls upon* Member States, international organizations and funding institutions to redouble their efforts to increase their voluntary contributions to assist the Secretary-General in covering the cost of travel and daily subsistence allowance for the participation of representatives of least developed countries in the sessions of the Commission on Crime Prevention and Criminal Justice and in the sessions of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption, and requests the Executive Director of the United Nations Office on Drugs and Crime to intensify efforts to ensure the increased participation of representatives of least developed countries in those meetings;

2. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its fourteenth session on the implementation of the present resolution.

RESOLUTION 59/153

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/494, para. 39)[32]

59/153. Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the United Nations Office on Drugs and Crime

The General Assembly,

Recalling its relevant resolutions on the prevention and suppression of terrorism, as well as Security Council resolutions 1269 (1999) of 19 October 1999, 1373 (2001) of 28 September 2001, 1377 (2001) of 12 November 2001 and 1456 (2003) of 20 January 2003,

Recalling also its resolution 56/1 of 12 September 2001, in which it strongly condemned the heinous acts of terrorism of 11 September 2001 and urgently called for international cooperation to prevent and eradicate acts of terrorism, and its resolution 57/27 of 19 November 2002, in which it also condemned those in Bali and Moscow, as well as Security Council resolutions 1450 (2002) of 13 December 2002, 1465 (2003) of 13 February 2003, 1516 (2003) of 20 November 2003 and 1530 (2004) of 11 March 2004 condemning in the strongest terms the bomb attacks in Kikambala, Kenya, in Bogotá, in Istanbul, Turkey, and in Madrid, respectively, and expressing its deepest sympathy and condolences to the victims of terrorist attacks and their families,

Condemning the acts of violence perpetrated in many parts of the world against humanitarian personnel and United Nations and associated personnel, in particular deliberate attacks, which are in violation of international humanitarian law as well as other international law that may be applicable, such as the attack against the headquarters of the United Nations Assistance Mission for Iraq in Baghdad on 19 August 2003,

Recalling its resolutions 58/136 and 58/140 of 22 December 2003, in which it, inter alia, encouraged the activities of the United Nations Office on Drugs and Crime within its mandates in the area of preventing terrorism by providing Member States, upon request, with technical assistance, specifically to implement the universal conventions and protocols related to terrorism, thereby strengthening international cooperation in preventing and combating terrorism, working in close coordination with the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) and the Office of Legal Affairs of the Secretariat, as well as with international, regional and subregional organizations and specialized agencies,

Mindful of its resolution 58/81 of 9 December 2003, in which it welcomed the efforts of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism and recognized, in the context of Security Council resolution 1373 (2001), the role of the Branch in assisting States to become parties to and implement the relevant international conventions and protocols related to terrorism,

Recalling Security Council resolution 1535 (2004) of 26 March 2004 concerning enhancement of the ability of the Counter-Terrorism Committee to monitor the implementation of Council resolution 1373 (2001),

Recalling also the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[33] which emanated from the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000,

Noting with appreciation the issuance, in all the official languages of the United Nations, of the *Legislative Guide to the Universal Anti-Terrorism Conventions and Protocols*,[34] which was reviewed by an expert group hosted by the International

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[32] The draft resolution recommended in the report was submitted by the Economic and Social Council.

[33] Resolution 55/59, annex.

[34] United Nations publication, Sales No. E.04.V.7.

Institute of Higher Studies in Criminal Sciences in Siracusa, Italy, from 3 to 5 December 2002,

Noting with appreciation also the guidelines for technical assistance within the framework of international cooperation against terrorism, which were formulated and reviewed during an expert group meeting held in Cape Town, South Africa, from 24 to 27 February 2004,[35]

Deeply concerned that acts of international terrorism continue to be perpetrated, endangering the lives and well-being of individuals worldwide, as well as the peace and security of all States,

Reaffirming its unequivocal condemnation of terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance with the principles of the Charter of the United Nations, international law and the relevant international conventions,

Recalling that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law and that such measures are adopted in accordance with international law, in particular international human rights, refugee and humanitarian law,

Mindful of the essential need to strengthen international, regional and subregional cooperation aimed at enhancing the national capacity of States to prevent and suppress effectively international terrorism in all its forms and manifestations,

1. *Commends* the United Nations Office on Drugs and Crime for its work in preventing and combating terrorism through the provision of technical assistance, in close consultation with the Counter-Terrorism Committee, for the implementation of Security Council resolution 1373 (2001), in particular for the promotion of the ratification of, accession to and implementation of the universal conventions and protocols related to terrorism;

2. *Also commends* the United Nations Office on Drugs and Crime for its efforts to reinforce close cooperation with international, regional and subregional organizations, such as the Council of Europe, the International Monetary Fund, the Organization of American States, the Organization for Security and Cooperation in Europe and the World Bank, and the Counter-Terrorism Committee in preventing and combating terrorism, an example of which was the meeting held in follow-up to the Counter-Terrorism Committee special meeting of 6 March 2003, with participants from international, regional and subregional organizations, organized by the Organization for Security and Cooperation in Europe, in close cooperation with the United Nations Office on Drugs and Crime, in Vienna on 11 and 12 March 2004, which resulted in the Vienna Declaration of 12 March 2004;[36]

3. *Welcomes* the regional and subregional workshops held in Antalya, Turkey, and in Bamako, Khartoum, London, San José and Vilnius to familiarize national experts and criminal justice officials with the requirements of Security Council resolution 1373 (2001) and the requirements for becoming parties to and implementing the universal conventions and protocols related to terrorism and international cooperation agreements, and encourages the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime, in coordination with the Counter-Terrorism Committee and subject to the availability of extrabudgetary resources, to ensure proper follow-up to those workshops, in cases where such follow-up is indicated by the participating States;

4. *Calls upon* Member States that have not yet done so to become parties to and to implement the universal conventions and protocols related to terrorism as soon as possible and, where appropriate, to request assistance to that end from the United Nations Office on Drugs and Crime, in coordination with the Counter-Terrorism Committee;

5. *Invites* Member States that are not yet parties to those instruments to make use of the *Legislative Guide to the Universal Anti-Terrorism Conventions and Protocols*[34] in their efforts to incorporate the provisions of those instruments in their national legislation, and requests the Secretariat, subject to the availability of extrabudgetary resources, to develop the *Legislative Guide* further as a tool for the provision of technical assistance aimed at the implementation of the universal conventions and protocols related to terrorism;

6. *Requests* the Secretariat to submit the guidelines for technical assistance that were formulated and reviewed during the expert group meeting held in Cape Town, South Africa, from 24 to 27 February 2004[35] to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice for discussion, with a view to consideration of the guidelines by the Commission on Crime Prevention and Criminal Justice at its subsequent session;

7. *Requests* the United Nations Office on Drugs and Crime to continue to work with international organizations, in particular specialized agencies and other relevant United Nations entities that undertake work that is complementary to that of the Office, in order to enhance synergies;

8. *Urges* Member States to continue working together, including on a regional and bilateral basis and in close cooperation with the United Nations, to prevent and combat acts of terrorism by strengthening international cooperation and technical assistance within the framework of Security Council

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[35] E/CN.15/2004/8, annex I.

[36] Ibid., annex II; see also S/2004/276, annex.

resolutions 1373 (2001), 1377 (2001) and 1456 (2003), as well as the universal conventions and protocols related to terrorism, Council resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1390 (2002) of 16 January 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004 and 1535 (2004) and other relevant United Nations resolutions, and in accordance with the Charter of the United Nations and international law;

9. *Invites* Member States to examine ways and means to reinforce international cooperation in criminal justice matters pertaining to terrorism prevention during the Eleventh United Nations Congress on Crime Prevention and Criminal Justice with a view to enhancing global efforts in the fight against terrorism;

10. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to intensify its efforts to provide technical assistance, upon request, in preventing and combating terrorism through the implementation of the universal conventions and protocols related to terrorism, with particular emphasis on the need to coordinate its work with the Counter-Terrorism Committee and its Executive Directorate, including training of judicial and prosecutorial personnel, where appropriate, in the proper implementation of the universal conventions and protocols related to terrorism;

11. *Also requests* the United Nations Office on Drugs and Crime to pursue an integrated, synergistic approach in the delivery of technical assistance to requesting States, taking into account the links that exist between terrorism and other forms of crime;

12. *Expresses its appreciation* to donor countries that have supported the Global Programme against Terrorism, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund or the United Nations Crime Prevention and Criminal Justice Programme network, and invites all Member States to make voluntary contributions to the Fund in order to allow the United Nations Office on Drugs and Crime to provide technical assistance to requesting Member States;

13. *Calls upon* Member States to strengthen, to the greatest extent possible, international cooperation in order to combat terrorism, including, when necessary, entering into bilateral treaties on extradition and mutual legal assistance;

14. *Recognizes* the need for the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to provide Member States, upon request, and in coordination with the Counter-Terrorism Committee, with technical assistance to strengthen international cooperation, including in international, national, regional and subregional forums, in terrorism-related criminal justice matters within the framework of the universal conventions and protocols and the relevant Security Council resolutions related to terrorism;

15. *Requests* the Secretary-General to convene, subject to the availability of extrabudgetary resources, an expert workshop, taking into account the need for adequate and equitable geographical representation, and open to any Member State wishing to participate as an observer, to examine and analyse problems encountered by criminal justice practitioners in affording mutual legal assistance and granting extradition for terrorist offences, with a view to identifying proven and promising practices and possible ways of facilitating international cooperation, taking into account information that Member States may wish to provide;

16. *Also requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/154

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/494, para. 39)[37]

59/154. International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims

The General Assembly,

Concerned at the increase in the practice of kidnapping in various countries of the world and at the harmful effects of that crime on victims and their families, and determined to support measures to assist and protect them and to promote their recovery,

Reiterating that the kidnapping of persons under any circumstances and for any purpose constitutes a serious crime and a violation of individual freedom and undermines human rights,

Noting the transnational nature of organized crime and the tendency of organized criminal groups and terrorist groups to expand their illegal operations,

Concerned at the growing tendency of organized criminal groups and terrorist groups to resort to kidnapping, especially for the purpose of extortion, as a method of accumulating capital with a view to consolidating their criminal operations and undertaking other illegal activities, such as trafficking in firearms and drugs, money-laundering and crimes related to terrorism,

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[37] The draft resolution recommended in the report was submitted by the Economic and Social Council.

Convinced that the links between various illegal activities, including terrorism, and organized crime pose an additional threat to security and the quality of life, hindering economic and social development,

Convinced also that the United Nations Convention against Transnational Organized Crime[38] provides the legal framework necessary for international cooperation in the fight against kidnapping,

Recalling Economic and Social Council resolution 2003/28 of 22 July 2003 entitled "International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims", in which the Council requested the Secretary-General, drawing on extrabudgetary funds or voluntary contributions, to provide technical assistance to States, upon request, to enable them to strengthen their capacity to combat kidnapping, and to submit a progress report on that topic to the Commission on Crime Prevention and Criminal Justice at its thirteenth session,

1. *Vigorously condemns and rejects once again* the practice of kidnapping, under any circumstances and for any purpose, especially when it is carried out by organized criminal groups and terrorist groups;

2. *Reiterates* that organized criminal groups and terrorist groups, as well as all perpetrators, are responsible for any harm or death that may result from a kidnapping for which they are responsible and should be punished accordingly;

3. *Takes note with appreciation* of the report of the Secretary-General[39] and of the recommendations presented therein, submitted pursuant to Economic and Social Council resolutions 2002/16 of 24 July 2002 and 2003/28;

4. *Encourages* Member States to continue to foster international cooperation, especially extradition, mutual legal assistance, collaboration between law enforcement authorities and exchange of information, with a view to preventing, combating and eradicating kidnapping;

5. *Calls upon* Member States that have not yet done so, in furtherance of the fight against kidnapping, to strengthen their measures against money-laundering and to engage in international cooperation and mutual assistance in, inter alia, the tracing, detection, freezing and confiscation of proceeds of kidnapping in order to combat organized criminal groups and terrorist groups;

6. *Urges* Member States that have not yet done so to pay special attention to the considerable psychological, social and economic damage associated with kidnapping by adopting legislative, administrative or any other measures to provide appropriate support and assistance to victims and their families;

7. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to prepare a handbook, for use by competent authorities, of proven and promising practices in the fight against kidnapping, including:

(*a*) Measures to prevent the crime of kidnapping that are directed at potential victims;

(*b*) Preventive measures aimed at disbanding organized criminal groups and terrorist groups;

(*c*) Cooperation or strategic alliances with the private sector;

(*d*) Response to and management of crises;

(*e*) Identification of the minimum elements that would help States to make adjustments to their domestic legislation with a view to having a common understanding of the crime of kidnapping, which would also help to ascertain reliable trends from a global perspective;

(*f*) Development of specialized measures for providing support and assistance to victims and their families;

(*g*) Information on national authorities responsible for preventing and combating kidnapping;

(*h*) Reporting procedures, rescue operations, information systems and prosecutions;

8. *Also requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to provide technical assistance to States, upon request, to enable them to strengthen their capacity to combat kidnapping, including:

(*a*) Training of judges, prosecutors and other law enforcement officials in mechanisms for disbanding criminal organizations and in the use of special investigative techniques for the rescue of kidnapped persons, bearing in mind the particular need to safeguard and protect the victims;

(*b*) Review of trends and greater understanding of the problem in order to create a basis for developing policies and strategies against kidnapping.

RESOLUTION 59/155

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/494, para. 39)[40]

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[38] Resolution 55/25, annex I.

[39] E/CN.15/2004/7 and Add.1.

[40] The draft resolution recommended in the report was submitted by the Economic and Social Council.

59/155. Action against corruption: assistance to States in capacity-building with a view to facilitating the entry into force and subsequent implementation of the United Nations Convention against Corruption

The General Assembly,

Deeply concerned about the impact of corruption on the political, social and economic stability and development of societies,

Bearing in mind that the prevention and combating of corruption is a common and shared responsibility of the international community, necessitating cooperation at the bilateral and multilateral levels,

Bearing in mind also that the prevention and eradication of corruption is a responsibility of all States and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, if their efforts to prevent and combat corruption are to be effective,

Reaffirming its support and commitment to the goals of the United Nations in the field of crime prevention and criminal justice, in particular the objectives set forth in the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[41]

Recalling its resolution 58/4 of 31 October 2003, in which it adopted the United Nations Convention against Corruption and urged all States and competent regional economic integration organizations to sign and ratify it,

Noting with appreciation the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption, held in Merida, Mexico, from 9 to 11 December 2003,

Noting with appreciation also the initiative of those States which have pledged financial contributions to the United Nations Crime Prevention and Criminal Justice Fund in order to enable developing countries and countries with economies in transition to initiate measures to implement the Convention,

1. *Welcomes* the signing of the United Nations Convention against Corruption by a large number of Member States, which reflects the high level of commitment on the part of the international community to the purpose of the Convention;

2. *Urges* Member States to consider signing and ratifying the Convention as soon as possible, in order to allow its early entry into force and subsequent implementation;

3. *Encourages* Member States to make adequate voluntary contributions, where appropriate, to the United Nations Crime Prevention and Criminal Justice Fund to provide developing countries and countries with economies in transition with the technical assistance they may require to implement the Convention, including assistance for the preparatory measures required for implementation, taking into account article 62 of the Convention;

4. *Requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote, in an effective manner, the entry into force and implementation of the Convention, inter alia, through the provision of assistance to developing countries and countries with economies in transition for building capacity in the areas covered by the Convention;

5. *Also requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its fourteenth session on the implementation of the present resolution.

RESOLUTION 59/156

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/494, para. 39)[42]

59/156. Preventing, combating and punishing trafficking in human organs

The General Assembly,

Recalling its resolution 53/111 of 9 December 1998, by which it established an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration, as appropriate, of international instruments addressing trafficking in women and children, combating illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea,

Recalling also its resolution 55/25 of 15 November 2000, by which it adopted the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,

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[41] Resolution 55/59, annex.

[42] The draft resolution recommended in the report was submitted by the Economic and Social Council.

Recalling further its resolution 55/255 of 31 May 2001, by which it adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,

Concerned about the negative economic and social implications of the activities of organized crime and the possible expansion of such crime, such as trafficking in human organs,

Alarmed at the potential growth of exploitation by criminal groups of human needs, poverty and destitution for the purpose of trafficking in human organs, using violence, coercion and kidnapping, especially kidnapping of children, with a view to exploiting them by means of organ transplant operations,

Noting with concern that trafficking in human organs, wherever it occurs, constitutes a gross violation of the human rights, including the integrity, of its victims,

Convinced of the need to strengthen local, regional and international cooperation in effective prevention and combating of such activities wherever they occur,

Determined to prevent the provision of safe haven to those who participate in or profit from transnational organized crime and to prosecute such persons for the crimes they commit,

Deploring the commercialization of the human body,

1. *Urges* Member States, should they ascertain that such a phenomenon exists in their country, to adopt the necessary measures to prevent, combat and punish the illicit removal of and trafficking in human organs;

2. *Encourages* Member States to exchange experience in and information on preventing, combating and punishing the illicit removal of and trafficking in human organs;

3. *Requests* the Eleventh United Nations Congress on Crime Prevention and Criminal Justice to pay attention to the issue of the illicit removal of and trafficking in human organs;

4. *Requests* the Secretary-General, in collaboration with the States and organizations concerned and subject to the availability of extrabudgetary resources, to prepare a study on the extent of the phenomenon of trafficking in human organs for submission to the Commission on Crime Prevention and Criminal Justice at its fifteenth session.

RESOLUTION 59/157

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/494, para. 39)[43]

59/157. International cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

The General Assembly,

Recalling its resolution 55/25 of 15 November 2000, by which it adopted the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,

Recalling also its resolution 55/255 of 31 May 2001, by which it adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,

Recalling further its resolution 58/135 of 22 December 2003 on international cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,

Reaffirming its deep concern at the impact of transnational organized crime on the political, social and economic stability and development of societies,

Reaffirming that the adoption of the Convention and the Protocols thereto is a significant development in international criminal law and that they constitute important instruments for effective international cooperation against transnational organized crime,

1. *Takes note with appreciation* of the report of the Secretary-General on the United Nations Convention against Transnational Organized Crime and the Protocols thereto;[44]

2. *Welcomes* the entry into force of the United Nations Convention against Transnational Organized Crime, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime;

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[43] The draft resolution recommended in the report was submitted by the Economic and Social Council.

[44] E/CN.15/2004/5.

3. *Commends* the United Nations Office on Drugs and Crime for its work in promoting the ratification of the Convention and the Protocols thereto, including, in particular, the preparation of legislative guides designed to facilitate the ratification and subsequent implementation of those instruments, and invites the Office to finalize the legislative guides and to disseminate them as widely as possible;

4. *Urges* all States and relevant regional economic integration organizations that have not done so to consider ratifying or acceding to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, as soon as possible;

5. *Also urges* all States and relevant regional economic integration organizations to take all necessary measures to improve international cooperation in criminal matters, especially extradition and mutual legal assistance, in accordance with the Convention;

6. *Welcomes* the financial support provided by several donors to promote the entry into force and implementation of the Convention and the Protocols thereto, and encourages Member States to make sufficient voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, as well as contributions in direct support of activities and projects of the United Nations Office on Drugs and Crime, including through contributions to the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, for the provision of technical assistance to developing countries and countries with economies in transition for the implementation of those international legal instruments;

7. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention and the Protocols thereto and to discharge its functions as the secretariat of the Conference of the Parties in accordance with its mandate;

8. *Requests* the United Nations Office on Drugs and Crime to continue to assist States, upon request, with capacity-building in the area of international cooperation in criminal matters, in particular extradition and mutual legal assistance;

9. *Requests* the Secretary-General to report on the implementation of the present resolution in his report on the work of the United Nations Office on Drugs and Crime to be submitted to the General Assembly at its sixtieth session.

RESOLUTION 59/158

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/494, para. 39)[45]

59/158. United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 58/139 of 22 December 2003 and all other relevant resolutions,

Taking note of the report of the Secretary-General,[46]

Bearing in mind the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Noting that the financial situation of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Commends* the Secretary-General for his efforts to mobilize the financial resources necessary to provide the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

3. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

4. *Urges* the States members of the Institute to make every possible effort to meet their obligations to the Institute;

5. *Calls upon* all Member States and non-governmental organizations to adopt concrete practical measures to support the Institute in the development of the requisite capacity and to implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

6. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to

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[45] The draft resolution recommended in the report was sponsored in the Committee by Ethiopia (on behalf of the States Members of the United Nations that are members of the Group of African States) and Qatar.

[46] A/59/175.

provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

7. *Also requests* the Secretary-General to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

8. *Calls upon* the United Nations Crime Prevention and Criminal Justice Programme and the United Nations Office on Drugs and Crime to work closely with the Institute;

9. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

10. *Also requests* the Secretary-General to make concrete proposals, including the provision of additional core professional staff, to strengthen the programmes and activities of the Institute and to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/159

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/494, para. 39)[47]

59/159. Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, in which it approved the statement of principles and programme of action annexed to that resolution,

Recalling also its resolution 58/140 of 22 December 2003 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Bearing in mind the United Nations Millennium Declaration,[48] as well as the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century[49] and the plans of action for its implementation,[50]

Emphasizing the role of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and the rule of law and promotion of the highest standards of fairness, humanity and professional conduct,

Recognizing that action against global crime is a common and shared responsibility,

Convinced of the need for closer coordination and cooperation among States in combating crime in all its forms and manifestations, including criminal activities carried out for the purpose of furthering terrorism, and bearing in mind the role that is played by both the United Nations and regional organizations in this respect,

Recognizing existing efforts at the regional level that complement the work of the United Nations Crime Prevention and Criminal Justice Programme in combating corruption, the smuggling of migrants and trafficking in persons, especially women and children, and noting in this context the ongoing work of the Bali and Puebla Processes,[51]

Looking forward to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, to be held in Bangkok in 2005, which will provide an important opportunity to exchange views and experiences and to identify emerging trends and issues in the field of crime prevention and criminal justice,

Welcoming the entry into force in 2003 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[52] and in 2004 of the Protocol against the Smuggling of Migrants by

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[47] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo. Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mauritius, Mexico, Mongolia, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

[48] See resolution 55/2.

[49] Resolution 55/59, annex.

[50] Resolution 56/261, annex.

[51] Most recently the ninth meeting of the Regional Conference on Migration, held in Panama City on 20 and 21 May 2004 as part of the Puebla Process, and the Senior Officials' Meeting of the Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, held in Brisbane, Australia, on 7 and 8 June 2004 as part of the Bali Process.

[52] Resolution 55/25, annex II.

Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[53]

Welcoming also the opening for signature, at the High-level Political Conference, held in Merida, Mexico, from 9 to 11 December 2003, of the United Nations Convention against Corruption,[54]

Bearing in mind all its relevant resolutions, in particular those related to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto[55] and the United Nations Convention against Corruption, as well as the universal instruments against terrorism,

Bearing in mind also all Economic and Social Council resolutions on strengthening international cooperation, technical assistance and advisory services in crime prevention and criminal justice, as well as on strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction, the technical cooperation capacity of the United Nations Crime Prevention and Criminal Justice Programme of the United Nations Office on Drugs and Crime and on the implementation of technical assistance in Africa by the Office,

Acknowledging the role of United Nations standards and norms in crime prevention and criminal justice and their development, as reflected in Economic and Social Council resolution 2004/28 of 21 July 2004,

Recalling its relevant resolutions in which it requested the Secretary-General, as a matter of urgency, to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandate, in conformity with the high priority attached to the Programme,

Aware of the continued increase in requests for technical assistance forwarded to the United Nations Office on Drugs and Crime by least developed countries, developing countries, countries with economies in transition and countries emerging from conflict, and recognizing the need to maintain a balance in the technical cooperation capacity of the Office between all priorities identified by the General Assembly and the Economic and Social Council,

Expressing its appreciation for the funding provided by certain Member States, which in recent years has permitted the United Nations Office on Drugs and Crime and the United Nations Interregional Crime and Justice Research Institute and institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other relevant bodies to enhance their capacity to execute an increased number of projects in the field of crime prevention and criminal justice,

1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 58/140;[56]

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime;

3. *Reiterates its appreciation* of the work of the Commission on Crime Prevention and Criminal Justice to coordinate international cooperation efforts, and requests that a gender perspective continue to be integrated into all activities of the United Nations Office on Drugs and Crime;

4. *Reaffirms* the importance of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including to prevent and combat terrorism in coordination with and complementing the work of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, in particular in strengthening international cooperation and providing technical assistance, upon request;

5. *Reaffirms also* the role of the United Nations Office on Drugs and Crime in providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the areas of prevention and control of transnational organized crime, corruption and terrorism as well as in the area of reconstruction of national criminal justice systems, and stresses the need to enhance its operational activities to assist, in particular, least developed countries, developing countries, countries with economies in transition and countries emerging from conflict;

6. *Recognizes* the progress made in the implementation of the global programmes addressing trafficking in human beings, corruption, organized crime and terrorism, and calls upon the Secretary-General to enhance further the visibility of those programmes and to strengthen the United Nations Office on Drugs and Crime by providing it with the resources necessary for the full implementation of its mandate in crime prevention and criminal justice, including the preparation of an updated publication on world crime trends;

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[53] Ibid., annex III.

[54] Resolution 58/4, annex.

[55] Resolution 55/25, annexes I–III, and resolution 55/255, annex.

[56] A/59/205.

7. *Invites* all States to support the operational activities of the United Nations Crime Prevention and Criminal Justice Programme, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund or through voluntary contributions in direct support of such activities, including for the provision of technical assistance for the implementation of the commitments entered into at the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, including the measures outlined in the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century;[50]

8. *Also invites* all States to support, through voluntary contributions, the activities carried out by the United Nations Interregional Crime and Justice Research Institute and institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other relevant bodies;

9. *Encourages* relevant programmes, funds and organizations of the United Nations system, in particular the United Nations Development Programme, and invites the international financial institutions, in particular the World Bank and regional and national funding agencies, to support the operational activities of the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice;

10. *Urges* States and relevant international organizations to develop national, regional and international strategies and other necessary measures to complement the work of the United Nations Crime Prevention and Criminal Justice Programme in addressing effectively the significant problems posed by the smuggling of migrants and trafficking in persons and related criminal activities, such as kidnapping;

11. *Urges* States and funding agencies to review, as appropriate, their funding policies for development assistance and to include a crime prevention and criminal justice component in such assistance;

12. *Welcomes* the efforts undertaken by the Commission on Crime Prevention and Criminal Justice to exercise more vigorously its mandated function of resource mobilization, and calls upon the Commission to strengthen further its activities in this direction;

13. *Notes with appreciation* the outcome of the senior-level discussion held during the thirteenth session of the Commission on Crime Prevention and Criminal Justice on progress made with regard to the criminal justice aspects of terrorism and international cooperation and to the universal conventions and protocols related to terrorism;[57]

14. *Expresses its appreciation* to non-governmental organizations and other relevant sectors of civil society for their support for the United Nations Crime Prevention and Criminal Justice Programme;

15. *Invites* relevant entities of the United Nations system, including the United Nations Development Programme as well as the World Bank and other international funding agencies, to increase further their interaction with the United Nations Office on Drugs and Crime in order to benefit from synergies and avoid duplication of effort and to ensure that, as appropriate, activities on crime prevention and criminal justice, including activities related to the prevention of corruption and the promotion of the rule of law, are considered in their sustainable development agenda and that the expertise of the Office is fully utilized;

16. *Requests* the Secretary-General to take all necessary measures to provide adequate support to the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in this field, in performing its activities, including cooperation and coordination with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other relevant bodies;

17. *Urges* all States and regional economic organizations that have not yet done so to ratify or accede to the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the Protocols thereto;[55]

18. *Emphasizes* the importance of the expeditious entry into force of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, adopted by its resolution 55/255 of 31 May 2001;

19. *Welcomes* the voluntary contributions already made, and encourages States to make adequate and regular voluntary contributions for the implementation of the Convention and the Protocols thereto, through the United Nations funding mechanism specifically designed for that purpose in the Convention or in direct support of implementation activities and initiatives;

20. *Urges* all States and competent regional economic integration organizations that have not yet done so to sign, ratify or accede to the United Nations Convention against Corruption;[54]

21. *Requests* the Secretary-General to take all necessary measures and provide adequate support to the United Nations Office on Drugs and Crime so as to enable it to promote the speedy entry into force of the United Nations Convention against Corruption;

22. *Encourages* States to make adequate and regular voluntary contributions for the entry into force of the United Nations Convention against Corruption, through the United Nations funding mechanism specifically designed for that purpose in the Convention or in direct support of implementation activities and initiatives;

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[57] See *Official Records of the Economic and Social Council, 2004, Supplement No. 10* (E/2004/30), chap. V.

23. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixtieth session.

RESOLUTION 59/160

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/495, para. 20)[58]

59/160. Control of cultivation of and trafficking in cannabis

The General Assembly,

Recalling the Single Convention on Narcotic Drugs of 1961,[59] that Convention as amended by the 1972 Protocol,[60] the Convention on Psychotropic Substances of 1971[61] and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[62]

Recalling also Commission on Narcotic Drugs resolution 45/8 of 15 March 2002 on the control of cannabis in Africa,[63]

Concerned that, of all the substances listed in the international drug control treaties, cannabis is by far the most widely and most frequently abused, especially among young people,

Concerned also that the abuse of cannabis, especially among young people, often leads to risk-taking behaviour,

Concerned further that cultivation of and trafficking in cannabis are on the increase in Africa partly as a result of extreme poverty and the absence of any viable alternative crop and partly because of the profitability of such activity and the high demand for cannabis in other regions of the world,

Noting with concern that increased cultivation of cannabis in Africa is extremely dangerous for the ecosystem because it leads to extensive use of fertilizers, overexploitation of the soil and destruction of forests to make room for new cannabis fields, thus accelerating soil erosion,

Taking note of the report of the International Narcotics Control Board for 2003,[64] in which the Board confirmed that the production of, trafficking in and abuse of cannabis continued to pose a serious problem in various regions of the world,

Aware of the importance of programmes promoting alternative development, including, where appropriate, preventive alternative development,

Emphasizing the primary importance of international cooperation in combating drug trafficking and drug abuse,

1. *Welcomes* the 2003 cannabis survey conducted by Morocco in cooperation with the United Nations Office on Drugs and Crime;

2. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of voluntary funds, which might be either from general-purpose funds, in accordance with the Commission on Narcotic Drugs guidelines for the use of general-purpose funds,[65] or from earmarked funds, to begin a global survey of cannabis, initially with a market survey, before the forty-eighth session of the Commission on Narcotic Drugs;

3. *Also requests* the United Nations Office on Drugs and Crime to support the creation or strengthening of national and subregional strategies and plans of action for the eradication of cannabis crops, subject to the availability of voluntary funds, which might be either from general-purpose funds, in accordance with the Commission on Narcotic Drugs guidelines for the use of general-purpose funds, or from earmarked funds;

4. *Urges* Member States, in accordance with the principle of shared responsibility and as a sign of their commitment to the fight against illicit drugs, to extend cooperation to affected States, particularly in Africa, in the area of alternative development, including funding for research into crops offering viable alternatives to cannabis, environmental protection and technical assistance;

5. *Encourages* Member States with experience and expertise in the eradication of illicit drug crops and alternative development programmes to share their experience and expertise with affected States, particularly in Africa;

6. *Urges* all Member States to encourage appropriate access to international markets for products of alternative development projects in order to support efforts aimed at eliminating the production of narcotic drugs and promoting sustainable development;

7. *Encourages* Member States to apply new strategies and tools to complement existing ones in efforts to combat trafficking in cannabis;

8. *Calls upon* all States to ensure strict compliance with all the provisions of the Single Convention on Narcotic Drugs of 1961,[59] that Convention as amended by the 1972 Protocol,[60] the Convention on Psychotropic Substances of 1971[61] and the United Nations Convention against Illicit

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[58] The draft resolution recommended in the report was submitted by the Economic and Social Council.

[59] United Nations, *Treaty Series*, vol. 520, No. 7515.

[60] Ibid., vol. 976, No. 14152.

[61] Ibid., vol. 1019, No. 14956.

[62] Ibid., vol. 1582, No. 27627.

[63] See *Official Records of the Economic and Social Council, 2002, Supplement No. 8* and corrigenda (E/2002/28 and Corr.1 and 2), chap. I, sect. C.

[64] United Nations publication, Sales No. E.04.XI.1.

[65] *Official Records of the Economic and Social Council, 2001, Supplement No. 8* (E/2001/28/Rev.1), part two, chap. I, resolution 44/20, annex.

Traffic in Narcotic Drugs and Psychotropic Substances of 1988;[62]

9. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Narcotic Drugs at its forty-eighth session on the implementation of the present resolution.

RESOLUTION 59/161

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/495, para. 20)[66]

59/161. Providing support to the Government of Afghanistan in its efforts to eliminate illicit opium and foster stability and security in the region

The General Assembly,

Recalling the United Nations Millennium Declaration[67] outlining the interrelated commitments, goals and targets to be achieved on, inter alia, development, peace and security and setting the required framework for international cooperation for achieving those goals,

Recognizing that the threat emanating from illicit opium poppy cultivation and production of and trafficking in illicit opium, as addressed at the Conference on Drug Routes from Central Asia to Europe, held in Paris on 21 and 22 May 2003, is a serious challenge to the security and stability of Afghanistan, its neighbouring countries and the region and poses a problem for countries throughout the world,

Taking note of *Afghanistan: Opium Survey 2003*, published by the United Nations Office on Drugs and Crime,

Recognizing the strong and continuing commitment made by the Transitional Administration of Afghanistan at the institutional, legal and administrative levels to eliminate opium poppy cultivation by 2013,

Reaffirming the commitments undertaken by Member States in the Political Declaration adopted by the General Assembly at its twentieth special session,[68] in which Member States recognized that action against the world drug problem was a common and shared responsibility and expressed their conviction that it must be addressed in a multilateral setting,

Recalling that the Security Council, on 17 June 2003, called upon the international community to provide assistance to the Transitional Administration of Afghanistan in collaboration with the United Nations Office on Drugs and Crime and in line with the national drug control strategy,[69]

Recalling also that, in section II of its resolution 58/141 of 22 December 2003, the General Assembly reaffirmed the Joint Ministerial Statement and further measures to implement the action plans emanating from the twentieth special session of the General Assembly, adopted during the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,[70] and recommended that adequate help be provided to Afghanistan in support of the commitment of the Transitional Administration of Afghanistan to eliminate illicit opium,

Stressing the importance and urgency of the implementation of the five action plans adopted by the International Counter-Narcotics Conference on Afghanistan, held in Kabul on 8 and 9 February 2004, which were to form part of the discussion at the international conference entitled "Afghanistan and the International Community: a Partnership for the Future", held in Berlin on 31 March and 1 April 2004, and the conclusion of the Kabul conference that the illicit drug issue is a top priority of all those interested in securing the future of Afghanistan,

Recalling that, in the Joint Ministerial Statement and further measures to implement the action plans emanating from the twentieth special session of the General Assembly, the ministers and other government representatives participating in the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs recommended that adequate help be provided to Afghanistan within the framework of the comprehensive international strategy carried out, inter alia, under the auspices of the United Nations and through other multilateral forums, in support of the commitment of the Transitional Government of Afghanistan to eliminate the illicit cultivation of opium poppy and in response to the unique situation of that country, reaffirmed that that should help the provision of alternative livelihoods and the fight against illicit trafficking in drugs and precursors within Afghanistan and in neighbouring States and countries along trafficking routes, including the strengthening of "security belts" in the region, and that extensive efforts had to be made to reduce the demand for drugs globally in order to contribute to the sustainability of the elimination of illicit cultivation in Afghanistan and, in that context, affirmed that their response to that unique situation would not detract from their commitment and resources devoted to the fight against drugs in other parts of the world,[71]

Recalling also that the International Narcotics Control Board, in its report for 2003, pointed out that trade in Afghan opiates generated funds that corrupted institutions, financed terrorism and insurgency and led to destabilization of the region,[72]

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[66] The draft resolution recommended in the report was submitted by the Economic and Social Council.

[67] See resolution 55/2.

[68] Resolution S-20/2, annex.

[69] See S/PRST/2003/7; see *Resolutions and Decisions of the Security Council, 1 August 2002–31 July 2003*.

[70] A/58/124, sect. II.A.

[71] Ibid., para. 22.

Recalling further the appeal to the international community made by the International Narcotics Control Board on 12 February 2004 to support fully the Afghan authorities in addressing the drug control situation, in order to meet the requirements of the international drug treaties, including article 14 of the Single Convention on Narcotic Drugs of 1961[73] and that Convention as amended by the 1972 Protocol,[74]

1. *Welcomes* the bilateral and multilateral support being provided by the international community, through the United Nations Office on Drugs and Crime and other organizations;

2. *Expresses its support* for the efforts of Member States aimed at strengthening regional cooperation in order to counter the threat to the international community posed by the illicit cultivation of opium poppy in Afghanistan and its illicit trade;

3. *Calls upon* the international community to enhance financial and technical support to Afghanistan in order to enable the Government to implement successfully its national drug control strategy and thereby reduce the demand for illicit drugs in Afghanistan and the threat that illicit opium poppy cultivation and illicit opium trade have created to the peace, stability and socio-economic recovery of Afghanistan and to the security of the region and the other parts of the world;

4. *Urges* all stakeholders to accelerate efforts to implement a combined strategy, comprising law enforcement, eradication, interdiction, demand reduction and awareness-building, including alternative livelihoods conceived in a broader development context than currently understood, with a view to creating sustainable livelihoods, independent of illicit opium;

5. *Encourages* the Transitional Administration of Afghanistan to accelerate the implementation of the commitment that it courageously made to the five action plans adopted by the International Counter-Narcotics Conference on Afghanistan, held in Kabul on 8 and 9 February 2004;

6. *Reaffirms* the need to strengthen measures to reduce the global demand for illicit drugs, in order to support and contribute to the sustainability of efforts to eliminate illicit opium in Afghanistan;

7. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of voluntary funds, which might be either from general-purpose funds, in accordance with the Commission on Narcotic Drugs guidelines for the use of general-purpose funds,[75] or from earmarked funds, and encourages concerned Member States, international organizations and financial institutions to routinely mainstream counter-narcotics measures as part of their development cooperation strategies, in coordination with the development objectives of the Government of Afghanistan, so that sustainable alternative livelihoods are created in Afghanistan.

RESOLUTION 59/162

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/495, para. 20)[76]

59/162. Follow-up on strengthening the systems of control over chemical precursors and preventing their diversion and trafficking

The General Assembly,

Concerned about the continued diversion and misuse of precursors and the fact that, despite efforts undertaken by all States, including the producing, exporting, importing and transit States, chemical substances are increasingly feeding the manufacture of illicit drugs of natural or synthetic origin, a problem that deserves the utmost attention of all States,

Recalling the Political Declaration adopted by the General Assembly at its twentieth special session, devoted to countering the world drug problem together,[77] in which Member States decided to establish 2008 as a target date for States to eliminate or considerably reduce the diversion of precursors,

Recalling also the Joint Ministerial Statement and further measures to implement the action plans emanating from the twentieth special session of the General Assembly, adopted during the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,[78]

Stressing the importance of Economic and Social Council resolutions 2003/32 and 2003/35 of 22 July 2003 on training in precursor control, countering money-laundering and drug abuse prevention, and on strengthening the prevention and suppression of illicit drug trafficking,

Recalling article 12, paragraphs 1, 9 (*c*) and 10, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[79]

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[72] See *Report of the International Narcotics Control Board for 2003* (United Nations publication, Sales No. E.04.XI.1), para. 203.

[73] United Nations, *Treaty Series*, vol. 520, No. 7515.

[74] Ibid., vol. 976, No. 14152.

[75] *Official Records of the Economic and Social Council, 2001, Supplement No. 8* (E/2001/28/Rev.1), part two, chap. I, resolution 44/20, annex.

[76] The draft resolution recommended in the report was submitted by the Economic and Social Council.

[77] Resolution S-20/2, annex.

[78] A/58/124, sect. II.A.

[79] United Nations, *Treaty Series*, vol. 1582, No. 27627.

Reaffirming the importance of using all available legal means or measures to prevent the diversion of chemicals from legitimate trade to illicit drug manufacture as an essential component of comprehensive strategies against drug abuse and trafficking and of preventing access to chemical precursors by those engaged in or attempting to engage in the processing of illicit drugs,

Reiterating the importance of the effective and real-time exchange of information relating to the interdiction, diversion and suspected diversion of precursors, as an essential component of strategies to facilitate comprehensive investigations into cases relating to such diversion, including the identification of the modus operandi and entities involved and the initiation of appropriate legal action,

Encouraging Member States to conduct backtracking law enforcement investigations in order to counter organized smuggling networks effectively,

Also encouraging Member States to facilitate the exchange of information between the relevant agencies in order to identify the sources of seized precursor chemicals and those responsible for the shipping and diversion of those substances and to identify the sources of pharmaceutical preparations misused for illicit drug manufacture,

Noting that links are increasingly being uncovered between the smuggling of drugs and the smuggling of precursor chemicals, including the use of similar modi operandi to conceal consignments in order to avoid detection,

Welcoming with satisfaction the results achieved so far under Operation Purple and Operation Topaz and the new initiative called Project Prism, which were launched by the International Narcotics Control Board, in cooperation with Member States, to enhance controls over chemicals used in the illicit manufacture of cocaine, heroin and amphetamine-type stimulants respectively,

Concerned that, without additional resources, the International Narcotics Control Board will not be able to carry out its important functions under the above-mentioned operations,

1. *Urges* all Member States to put in place systems and procedures to ensure that the details of any interdiction, seizure, diversion or attempted diversion of precursors are communicated expeditiously to all Governments concerned and the International Narcotics Control Board and, insofar as possible, share relevant information so that methods frequently used for national and international trafficking in chemicals may be identified, pursuant to article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;[79]

2. *Reiterates* the importance of applying the know-your-customer principle referred to in Economic and Social Council resolution 2003/39 of 22 July 2003, and stresses the necessity of strengthening the use of the mechanism of pre-export notifications, including by providing timely responses, especially through the efficient sharing of information;

3. *Invites* those States which do not have mechanisms to enable the real-time exchange of information under the current international operations to consider establishing a national focal point or central national authority in line with the standard operating procedures of the international operations, through which all information on licit and illicit consignments can be channelled, and invites all Member States to contribute to updating the directory of competent national authorities under the international drug control treaties, with a view to implementing article 12 of the 1988 Convention;

4. *Recommends* that Member States develop or further adapt, where necessary, their regulatory and operational control procedures to counter the diversion of chemical substances into illicit drug production or manufacture, and encourages authorities to initiate or further strengthen coordination and cooperation between all regulatory and enforcement services involved in precursor control;

5. *Invites* Member States and appropriate international and regional bodies to review intelligence on the smuggling of drugs and the smuggling of precursor chemicals, in order to identify common links and to plan appropriate operations to stop such activities;

6. *Encourages* Member States to ensure that stopped diversion attempts receive the same investigative attention that would be afforded to a seizure of the same substance, since such cases could provide valuable intelligence that could prevent diversions elsewhere;

7. *Emphasizes* the need to ensure that adequate mechanisms are in place, where necessary and to the extent possible, to prevent the diversion of preparations containing chemicals listed in tables I and II of the 1988 Convention, pertaining to illicit drug manufacture, in particular those containing ephedrine and pseudoephedrine;

8. *Encourages* Member States, in order to counter smuggling networks effectively, to conduct backtracking law enforcement investigations and, where appropriate, to identify the source of the seized chemical precursors and those responsible for the consignment and ultimately the diversion;

9. *Also encourages* Member States to investigate the possibility of establishing operational chemical profiling programmes, and invites all States to support, to the extent possible, such programmes;

10. *Requests* the International Narcotics Control Board, pursuant to Economic and Social Council resolution 1995/20 of 24 July 1995, to monitor international trade so that diversion attempts can be identified, preventing chemical precursors from reaching the illicit market;

11. *Urges* the International Narcotics Control Board to continue to follow up all such cases of diversion by facilitating

investigations by national authorities and to make its findings available to Governments through its annual report;

12. *Requests* the Secretary-General to provide the necessary resources to the International Narcotics Control Board to enable it to continue its work effectively under Operation Purple, Operation Topaz and Project Prism;

13. *Requests* the Executive Director of the United Nations Office on Drugs and Crime, within the framework of his biennial reports on the implementation of the outcome of the twentieth special session of the General Assembly and taking into account the relevant resolutions adopted on the subject since the special session, to include in his report on the control of precursors, starting with his report to be submitted to the Commission on Narcotic Drugs at its forty-eighth session, recommendations on how to strengthen the use of the pre-export notification mechanism and ensure timely responses.

RESOLUTION 59/163

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/495, para. 20)[80]

59/163. International cooperation against the world drug problem

The General Assembly,

Recalling the United Nations Millennium Declaration,[81] its resolution 58/141 of 22 December 2003 and its other previous resolutions,

Reaffirming its commitment to the outcome of the twentieth special session of the General Assembly, devoted to countering the world drug problem together, held in New York from 8 to 10 June 1998, and welcoming the continuing determination of Governments to overcome the world drug problem by a full and balanced application of national, regional and international strategies to reduce the demand for, production of and trafficking in illicit drugs,

Reaffirming the importance of the commitments of Member States in meeting the objectives targeted for 2003 and 2008, as set out in the Political Declaration adopted by the General Assembly at the twentieth special session,[82] and welcoming the guidelines and elements recommended by the Commission on Narcotic Drugs to the Executive Director of the United Nations International Drug Control Programme for the preparation of subsequent reports on the follow-up to the twentieth special session,[83]

Emphasizing the importance of the Action Plan[84] for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction,[85] which introduces a new global approach balanced between illicit supply and demand reduction, under the principle of shared responsibility, and of the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development,[86] which recognizes the importance of supply reduction as an integral part of a balanced drug control strategy,

Recognizing the efforts of all countries, in particular those that produce narcotic drugs for scientific and medical purposes, and of the International Narcotics Control Board in preventing the diversion of such substances to illicit markets and in maintaining production at a level consistent with licit demand, in line with the Single Convention on Narcotic Drugs of 1961[87] and the Convention on Psychotropic Substances of 1971,[88]

Aware that progress has been uneven in meeting the goals set in the Political Declaration, as also reflected in the biennial reports of the Executive Director of the United Nations Office on Drugs and Crime,[89] and recognizing that the drug problem is still a global challenge that constitutes a serious threat to public health and safety and the well-being of humankind, in particular children and young people, and that it undermines socio-economic and political stability and sustainable development, including efforts to reduce poverty, and causes violence and crime, including in urban areas,

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[80] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Bahamas, Bangladesh, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

[81] See resolution 55/2.

[82] Resolution S-20/2, annex.

[83] See *Official Records of the Economic and Social Council, 1999, Supplement No. 8* (E/1999/28/Rev.1), part two, chap. I, resolution 42/11; and ibid., *2001, Supplement No. 8* (E/2001/28/Rev.1), chap. I, sect. C, resolution 44/2.

[84] Resolution 54/132, annex.

[85] Resolution S-20/3, annex.

[86] Resolution S-20/4 E.

[87] United Nations, *Treaty Series*, vol. 520, No. 7515.

[88] Ibid., vol. 1019, No. 14956.

[89] E/CN.7/2001/2 and Add.1–3, E/CN.7/2001/16 and E/CN.7/2003/2 and Add.1–6.

Concerned by the increase in the abuse of illicit drugs among children, including adolescents, and young people,

Concerned also by the challenges posed by links between the spread of HIV/AIDS and injecting drug use,

Concerned further by the serious challenges and threats posed by the continuing links between illicit drug trafficking and terrorism and other national and transnational criminal activities, such as trafficking in human beings, especially women and children, money-laundering, corruption, trafficking in arms and trafficking in chemical precursors, and reaffirming that strong and effective international cooperation is needed to counter these threats,

Concerned about policies and activities in favour of the legalization of illicit narcotic drugs and psychotropic substances that are not in accordance with the international drug control treaties and that might jeopardize the international drug control regime,

Concerned also by the increase in the diversion of chemical precursors used in the illicit manufacture of drugs,

Acknowledging that international cooperation in countering drug abuse and illicit production and trafficking has shown that positive results can be achieved through sustained and collective efforts, and expressing its appreciation for the initiatives in this regard,

I

Respect for the principles enshrined in the Charter of the United Nations and international law in countering the world drug problem

1. *Reaffirms* that countering the world drug problem is a common and shared responsibility that must be addressed in a multilateral setting, requires an integrated and balanced approach, and must be carried out in full conformity with the purposes and principles of the Charter of the United Nations and international law, and in particular with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States and all human rights and fundamental freedoms, and on the basis of the principles of equal rights and mutual respect;

2. *Urges* all States to ratify or accede to, and States parties to implement all the provisions of, the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[90] the Convention on Psychotropic Substances of 1971[88] and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;[91]

3. *Invites* all States, as a matter of priority, to sign, ratify or accede to, and States parties to implement, the United Nations Convention against Transnational Organized Crime and the Protocols thereto[92] and the United Nations Convention against Corruption,[93] in order to counter comprehensively the transnational criminal activities that are related to illicit drug trafficking;

II

International cooperation to counter the world drug problem and follow-up to the twentieth special session

1. *Reaffirms* the Joint Ministerial Statement and further measures to implement the action plans emanating from the twentieth special session of the General Assembly, adopted during the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,[94] which emphasizes that the world drug problem must be addressed in multilateral, regional, bilateral and national settings and that, in order to succeed, action to counter it has to involve all Member States, that action must be supported by strong international and development cooperation and must be further included in national development priorities, and that it requires a balance between supply reduction and demand reduction, as well as a comprehensive strategy that combines alternative development, including, as appropriate, preventive alternative development, eradication, interdiction, law enforcement, prevention, treatment and rehabilitation as well as education;

2. *Calls upon* all States to strengthen their efforts in the fight against the world drug problem, in order to achieve the objectives targeted for 2008 in the Political Declaration adopted by the General Assembly at the twentieth special session;[82]

3. *Calls upon* all relevant actors to continue their close cooperation with Governments in promoting and implementing the outcome of the twentieth special session and the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs;

4. *Stresses* that data collection, analysis and evaluation of the results of ongoing national and international policies are essential tools for further developing sound, evidence-based drug control strategies;

Demand reduction

5. *Urges* all Member States to implement the Action Plan[84] for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction[85] and to strengthen their national efforts to counter the abuse of illicit drugs in their population, in particular among children and young people;

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[90] United Nations, *Treaty Series*, vol. 976, No. 14152.

[91] Ibid., vol. 1582, No. 27627.

[92] Resolution 55/25, annexes I–III, and resolution 55/255, annex.

[93] Resolution 58/4, annex.

[94] A/58/124, sect. II.A.

6. *Urges* States, in order to achieve a significant and measurable reduction of drug abuse by 2008:

(*a*) To further implement comprehensive demand reduction policies and programmes, including research, covering all the drugs under international control, in order to raise public awareness of the drug problem, paying special attention to prevention and education and providing, especially to young people and others at risk, information on developing life skills, making healthy choices and engaging in drug-free activities;

(*b*) To further develop and implement comprehensive demand reduction policies, including risk reduction activities, that are in line with sound medical practice and the international drug control treaties and that reduce the adverse health and social consequences of drug abuse, and to provide a wide range of comprehensive services for the treatment, rehabilitation and social reintegration of drug abusers, with appropriate resources being devoted to such services, since social exclusion constitutes an important risk factor for drug abuse;

(*c*) To enhance early intervention programmes that dissuade children and young people from using illicit drugs, including polydrug use and the recreational use of substances such as cannabis and synthetic drugs, especially amphetamine-type stimulants, and to encourage the active participation of the younger generation in campaigns against drug abuse;

(*d*) To provide a comprehensive range of services for preventing the transmission of HIV/AIDS and other infectious diseases associated with drug abuse, including education, counselling and drug abuse treatment, and in particular to assist developing countries in their efforts to deal with these issues;

Illicit synthetic drugs

7. *Urges* States to renew their efforts, at the national, regional and international levels, to implement the comprehensive measures covered in the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors,[95] to make special efforts to counter the abuse and recreational use of amphetamine-type stimulants, especially by young people, and to disseminate information on the adverse health, social and economic consequences of such abuse;

Control of substances

8. *Encourages* States to establish or strengthen mechanisms and procedures to ensure strict control of substances that are listed in the international drug treaties and are used to manufacture illicit drugs of natural and synthetic origin, and to support international operations aimed at preventing their diversion, including through coordination and cooperation between regulatory and enforcement services involved in their control;

Control of precursors

9. *Encourages* States to establish or strengthen mechanisms and procedures to ensure strict control of chemical precursors used to manufacture illicit drugs, to support international operations aimed at preventing the diversion of chemical precursors, including through coordination and cooperation between regulatory and enforcement services involved in precursor control, in cooperation with the International Narcotics Control Board, and to counter smuggling networks effectively, inter alia, by conducting backtracking law enforcement investigations;

Judicial cooperation

10. *Calls upon* all States to strengthen international cooperation among judicial and law enforcement authorities at all levels in order to prevent and combat illicit drug trafficking and to share and promote best operational practices in order to interdict illicit drug trafficking, including by establishing and strengthening regional mechanisms, providing technical assistance and establishing effective methods for cooperation, in particular in the areas of air, maritime, port and border control and in the implementation of extradition treaties;

Countering money-laundering

11. *Urges* States to strengthen action, in particular international cooperation and technical assistance aimed at preventing and combating the laundering of proceeds derived from drug trafficking and related criminal activities, with the support of the United Nations system, international institutions such as the World Bank and regional development banks, to develop and strengthen comprehensive international regimes to combat money-laundering, and to improve information-sharing among financial institutions and agencies in charge of preventing and detecting the laundering of those proceeds;

12. *Calls upon* States to consider including provisions in their national drug control plans for the establishment of national networks to enhance their respective capabilities to prevent, monitor, control and suppress serious offences connected with money-laundering and the financing of terrorist acts, and in general to counter all acts of transnational organized crime, and to supplement existing regional and international networks dealing with money-laundering;

International cooperation in illicit crop eradication and alternative development

13. *Recognizes* the efforts made by States to implement innovative alternative programmes, inter alia, in reforestation, agriculture and small and medium enterprise, and stresses the importance of the United Nations system and the international

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[95] See resolution S-20/4 A.

community contributing to the economic and social development of the communities that benefit from such programmes;

14. *Calls upon* States, where appropriate:

(*a*) To enhance support, including, where appropriate, through the provision of new and additional financial resources, for alternative development, environmental protection and eradication programmes undertaken by countries affected by the illicit cultivation of cannabis, especially in Africa, of opium poppy and of coca bush, in particular national programmes that seek to reduce social marginalization and promote sustainable economic development;

(*b*) To enhance joint strategies, through international and regional cooperation, to strengthen, including by training, education and providing technical assistance, alternative development, eradication and interdiction capacity, with the aim of eliminating illicit crop cultivation and fostering economic and social development;

(*c*) To encourage international cooperation, including, as appropriate, preventive alternative development, to prevent illicit crop cultivation from emerging in or being relocated to other areas;

(*d*) To provide, in accordance with the principle of shared responsibility, greater access to their markets for products of alternative development programmes, which are necessary for the creation of employment and the eradication of poverty;

(*e*) To establish or reinforce, where appropriate, national mechanisms to monitor and verify illicit crops;

(*f*) To continue to contribute to the maintenance of a balance between the licit supply of and demand for opiate raw materials used for medical and scientific purposes and to cooperate in preventing the proliferation of sources of production of opiate raw materials;

(*g*) To share their experience, expertise and best practices in the eradication of illicit drug crops and the implementation of alternative development programmes with affected States;

15. *Calls upon* the international community to enhance financial and technical support for Afghanistan in order to enable the Government to implement successfully its national drug control strategy;

III

Action by the United Nations system

1. *Emphasizes* that the multidimensional nature of the world drug problem calls for the promotion of integration and coordination of drug control activities throughout the United Nations system, including in the follow-up to major United Nations conferences, as well as in other relevant multilateral institutions and organizations;

2. *Reaffirms its resolve* to continue to strengthen the United Nations machinery for international drug control, in particular the Commission on Narcotic Drugs, the United Nations International Drug Control Programme and the International Narcotics Control Board, in order to enable them to fulfil their mandates, bearing in mind the recommendations contained in Economic and Social Council resolution 1999/30 of 28 July 1999 and the measures taken and recommendations adopted by the Commission on Narcotic Drugs at its forty-fourth, forty-fifth, forty-sixth and forty-seventh sessions, aimed at the enhancement of its functioning;

3. *Encourages* the Commission on Narcotic Drugs, as the global coordinating body in international drug control and as the governing body of the United Nations International Drug Control Programme, and the International Narcotics Control Board to continue their useful work on the control of precursors and other chemicals used in the illicit manufacture of narcotic drugs and psychotropic substances;

4. *Notes* that the International Narcotics Control Board needs sufficient resources to carry out all its mandates, including those that will enable it to perform effectively its task within the framework of Operation Purple, Operation Topaz and Project Prism, and therefore urges Member States to commit themselves in a common effort to assigning adequate and sufficient budgetary resources to the Board, in accordance with Economic and Social Council resolution 1996/20 of 23 July 1996, emphasizes the need to maintain its capacity, inter alia, through the provision of appropriate means by the Secretary-General and adequate technical support by the United Nations International Drug Control Programme, and calls for enhanced cooperation and understanding between Member States and the Board in order to enable it to implement all its mandates under the international drug control conventions;

5. *Welcomes* the efforts of the United Nations Office on Drugs and Crime to implement its mandate, and requests the Office to continue:

(*a*) To strengthen dialogue with Member States and also to ensure continued improvement in management, so as to contribute to enhanced and sustainable programme delivery and further encourage the Executive Director to maximize the effectiveness of the drug programme of the United Nations Office on Drugs and Crime, inter alia, through the full implementation of Commission on Narcotic Drugs resolutions, in particular the recommendations contained therein;

(*b*) To strengthen cooperation with Member States and with United Nations programmes, funds and relevant agencies, as well as relevant regional organizations and agencies and non-governmental organizations, and to provide, on request, assistance in implementing the outcome of the twentieth special session;

(*c*) To increase its assistance, within the available voluntary resources, to countries that are deploying efforts to reduce illicit crop cultivation by, in particular, adopting alternative development programmes, and to explore new and innovative funding mechanisms;

(*d*) To allocate, while keeping the balance between supply and demand reduction programmes, adequate resources to allow it to fulfil its role in the implementation of the Action Plan[84] for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction,[85] and support countries, upon their request, to further develop and implement drug demand reduction policies;

(*e*) To develop action-oriented strategies to assist Member States to implement the Action Plan for the Implementation of the Declaration, and to report to the Commission on Narcotic Drugs at its forty-eighth session on the follow-up to the Action Plan;

(*f*) To strengthen dialogue and cooperation with multilateral development banks and with international financial institutions so that they may undertake lending and programming activities related to drug control in interested and affected countries to implement the outcome of the twentieth special session, and to keep the Commission on Narcotic Drugs informed of further progress made in this area;

(*g*) To take into account the outcome of the twentieth special session, to include in its report on the illicit traffic in drugs an updated, objective and comprehensive assessment of worldwide trends in illicit traffic and transit in narcotic drugs and psychotropic substances, including methods and routes used, and to recommend ways and means of improving the capacity of States along those routes to address all aspects of the drug problem;

(*h*) To publish the *World Drug Report*, with comprehensive and balanced information about the world drug problem, and to seek additional extrabudgetary resources for its publication in all the official languages;

(*i*) To provide technical assistance, from available voluntary contributions for that purpose, to those States identified by relevant international bodies as the most affected by the transit of drugs, in particular developing countries in need of such assistance and support;

(*j*) To provide assistance, at the request of States and respecting fully their sovereignty and territorial integrity, and with the support of the United Nations Office for Outer Space Affairs and the European Space Agency, among others, in detecting on time the emergence or relocation of illicit crop cultivation;

6. *Welcomes also* the follow-up, led by the United Nations Office on Drugs and Crime, to the 2003 Paris Conference on Drug Routes from Central Asia to Europe (the Paris Pact),[96] and encourages the Office and other relevant international institutions to continue their efforts;

7. *Welcomes further* the decision of the Commission on Narcotic Drugs, at its forty-seventh session, to select the topic "Preventing HIV/AIDS and other blood-borne diseases in the context of drug abuse prevention" as part of the thematic debate of its forty-eighth session, in 2005;

8. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of resources and the Commission on Narcotic Drugs guidelines for the use of general-purpose funds,[97] together with international financial institutions and the organizations involved in preventing and suppressing money-laundering and drug trafficking, to facilitate the provision of training and advice through technical cooperation in States, when requested, taking into account, inter alia, the recommendations on money-laundering and the financing of terrorism formulated by the Financial Action Task Force on Money Laundering and its regional groups;

9. *Urges* all Governments to provide the fullest possible financial and political support to the United Nations International Drug Control Programme by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, to enable it to continue, expand and strengthen its operational and technical cooperation activities, and recommends that a sufficient share of the regular budget of the United Nations be allocated to the Programme to enable it to fulfil its mandates and to work towards securing assured and predictable funding;

10. *Encourages* the meetings of Heads of National Drug Law Enforcement Agencies and of the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East of the Commission on Narcotic Drugs to continue to contribute to the strengthening of regional and international cooperation, taking into account the outcome of the twentieth special session and the ministerial segment of the forty-sixth session of the Commission;

11. *Calls upon* the relevant United Nations agencies and entities, other international organizations and international financial institutions, including regional development banks, to mainstream drug control issues into their programmes, and calls upon the United Nations Office on Drugs and Crime to maintain its leading role by providing relevant information and technical assistance;

12. *Takes note* of the report of the Secretary-General,[98] and, taking into account the promotion of integrated reporting, requests the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution.

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[96] See S/2003/641.

[97] *Official Records of the Economic and Social Council, 2001, Supplement No. 8* (E/2001/28/Rev.1), part two, chap. I, resolution 44/20, annex.

[98] A/59/188.

RESOLUTION 59/164

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/496, para. 27)[99]

59/164. Improvement of the status of women in the United Nations system

The General Assembly,

Recalling Articles 1 and 101 of the Charter of the United Nations, as well as Article 8, which provides that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs,

Recalling also the goal, contained in the Platform for Action adopted by the Fourth World Conference on Women,[100] of achieving overall gender equality, particularly at the Professional level and above, by 2000 and the further actions and initiatives set out in the outcome document adopted by the General Assembly at its twenty-third special session, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[101]

1. *Takes note with appreciation* the report of the Secretary-General;[102]

2. *Welcomes:*

(*a*) The commitment of the Secretary-General to meeting the goal of gender equality and his assurance that gender balance will be given the highest priority in his continuing efforts to bring about a new management culture in the Organization;

(*b*) The new initiatives and strategies undertaken system-wide and at the Secretariat level to achieve gender balance, including paying special attention to the identification of suitably qualified women candidates, strengthening of recruitment sources for women, development of recruitment strategies in substantive areas, enhancing women's career development, fostering attitudinal changes and introducing family-friendly policies;

(*c*) The increase in the proportion of women in the Professional and higher categories of staff with appointments of one year or more;

3. *Regrets* that the goal of 50/50 gender distribution has not been met and that overall progress in achieving this goal remains limited;

4. *Notes with concern* the continuing lack of representation of women at higher levels of decision-making, especially at the Under-Secretary-General level;

5. *Notes with particular concern* that gender balance considerations have yet to be effectively integrated throughout the human resources management policies of the United Nations;

6. *Reaffirms* the urgent goal of achieving 50/50 gender distribution in all categories of posts within the United Nations system, especially at senior and policy-making levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations;

7. *Stresses* the need to address the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing and least developed countries, from countries with economies in transition and from unrepresented or largely underrepresented Member States;

8. *Reaffirms* the need to continue to develop innovative recruitment strategies to identify and attract suitably qualified women candidates, in particular from, and in, developing and least developed countries and countries with economies in transition and other Member States that are unrepresented or underrepresented in the Secretariat;

9. *Reaffirms also* its resolution 58/144 of 22 December 2003, and requests increased and sustained efforts towards its full implementation;

10. *Requests* the Secretary-General and the executive heads of the organizations of the United Nations system to ensure that recruitment strategies, promotion and retention policies, career development, justice, anti-harassment and sexual harassment policies, human resources and succession planning, work/family policies, management culture and mechanisms for managerial accountability accelerate the goal of 50/50 gender distribution;

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[99] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

[100] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[101] Resolution S-23/3, annex.

[102] A/59/357.

11. *Urges* the Secretary-General and the executive heads of the organizations of the United Nations system to redouble their efforts to realize significant progress towards the goal of 50/50 gender distribution in the very near future;

12. *Requests* the Secretary-General to enable the Office of the Special Adviser on Gender Issues and Advancement of Women to effectively contribute to, monitor and facilitate the setting and achievement of gender targets in human resource action plans, including by ensuring access to the information required to carry out that work;

13. *Strongly encourages* Member States to support the efforts of the United Nations and the specialized agencies, funds and programmes to achieve the goal of 50/50 gender distribution, especially at senior and policy-making levels, by identifying and regularly submitting more women candidates for appointment to positions in the United Nations system, by identifying and proposing national recruitment sources in cooperation with national women's machineries and professional organization networks and by encouraging more women to apply for positions within the Secretariat, the specialized agencies, funds and programmes and the regional commissions, including in areas in which women are underrepresented, such as peacekeeping, peacebuilding and other non-traditional areas;

14. *Requests* the Secretary-General to provide an oral report to the Commission on the Status of Women at its forty-ninth and fiftieth sessions and to report to the General Assembly at its sixty-first session on the implementation of the present resolution, including by providing up-to-date statistics on all levels of the United Nations system.

RESOLUTION 59/165

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/496, para. 27)[103]

59/165. Working towards the elimination of crimes against women and girls committed in the name of honour

The General Assembly,

Reaffirming the obligation of all States to promote and protect human rights and fundamental freedoms, including the right to life, liberty and security of person, as stated in the Universal Declaration of Human Rights,[104] and reaffirming also the obligations of States parties under human rights instruments, in particular the International Covenant on Economic, Social and Cultural Rights,[105] the International Covenant on Civil and Political Rights,[105] the Convention on the Elimination of All Forms of Discrimination against Women[106] and the Convention on the Rights of the Child,[107]

Reaffirming also the Vienna Declaration and Programme of Action[108] and the Declaration on the Elimination of Violence against Women,[109] as well as the goals and commitments contained in the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women,[110] and the outcome document of the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[111]

Recalling its resolutions 57/179 of 18 December 2002 and 58/147 of 22 December 2003, as well as Commission on Human Rights resolution 2004/46 of 20 April 2004,[112]

Recalling also its resolution 58/185 of 22 December 2003, in which it called for an in-depth study on violence against women, including crimes committed in the name of honour, as well as its resolution 57/190 of 18 December 2002, in which it called for an in-depth study on violence against children,

Bearing in mind that States have an obligation to exercise due diligence to prevent, investigate and punish the perpetrators of crimes against women and girls committed in the name of honour and to provide protection to the victims, and that not doing so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms,

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[103] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Morocco, Namibia, Netherlands, New Zealand, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu and Venezuela (Bolivarian Republic of).

[104] Resolution 217 A (III).

[105] See resolution 2200 A (XXI), annex.

[106] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[107] Ibid., vol. 1577, No. 27531.

[108] A/CONF.157/24 (Part I), chap. III.

[109] See resolution 48/104.

[110] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[111] Resolution S-23/3, annex.

[112] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

Stressing the need to treat all forms of violence against women and girls, including crimes committed in the name of honour, as a criminal offence, punishable by law,

Stressing also the need to identify and effectively address the root causes of violence against women, in particular crimes committed in the name of honour, which take many different forms,

Aware that inadequate data on violence against women, including crimes committed in the name of honour, hinder informed policy analysis, at both the domestic and the international levels, and efforts to eliminate such violence,

Deeply concerned that women and girls continue to be victims of these crimes, as described in the relevant sections of the reports of the Human Rights Committee, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights, and noting in this regard successive reports of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences,

Emphasizing that such crimes are incompatible with all religious and cultural values,

Emphasizing also that the elimination of crimes against women and girls committed in the name of honour requires greater efforts and commitment on the part of Governments and the international community, inter alia, through international cooperation efforts, and civil society, including non-governmental organizations, and that fundamental changes in societal attitude are required,

Underlining the importance of the empowerment of women and their effective participation in decision-making and policy-making processes as one of the critical tools to prevent and eliminate crimes against women and girls committed in the name of honour,

1. *Welcomes:*

(*a*) The report of the Secretary-General on violence against women;[113]

(*b*) The activities and initiatives of States aimed at the elimination of crimes against women committed in the name of honour, including the adoption of amendments to relevant national laws relating to such crimes, the effective implementation of such laws and educational, social and other measures, including national information and awareness-raising campaigns, as well as activities and initiatives of States aimed at the elimination of all other forms of violence against women;

(*c*) The efforts, such as projects, undertaken by United Nations bodies, funds and programmes, including the United Nations Population Fund, the United Nations Children's Fund and the United Nations Development Fund for Women, to address the issue of crimes against women committed in the name of honour, and encourages them to coordinate their efforts;

(*d*) The work carried out by civil society, including non-governmental organizations, such as women's organizations, grass-roots movements and individuals, in raising awareness of such crimes and their harmful effects;

2. *Expresses its concern* that women continue to be victims of crimes committed in the name of honour, and at the continuing occurrence in all regions of the world of such violence, which takes many different forms, and at failures to prosecute and punish perpetrators;

3. *Calls upon* all States:

(*a*) To fulfil their obligations under the relevant international human rights instruments and to implement the Beijing Declaration and Platform for Action[110] and the outcome document of the special session of the General Assembly;[111]

(*b*) To continue to intensify efforts to prevent and eliminate crimes against women and girls committed in the name of honour, which take many different forms, by using legislative, administrative and programmatic measures;

(*c*) To investigate promptly and thoroughly, prosecute effectively and document cases of crimes against women and girls committed in the name of honour and punish the perpetrators;

(*d*) To intensify efforts to raise awareness of the need to prevent and eliminate crimes against women and girls committed and condoned in the name of honour, with the aim of changing the attitudes and behaviour that allow such crimes to be committed by involving, inter alia, community leaders;

(*e*) To intensify efforts to raise awareness about the responsibility of men to promote gender equality and bring about change in attitudes to eliminate gender stereotypes, including, specifically, their role in preventing crimes against women and girls committed in the name of honour;

(*f*) To encourage the efforts of the media to engage in awareness-raising campaigns;

(*g*) To encourage, support and implement measures and programmes aimed at increasing the knowledge and understanding of the causes and consequences of crimes against women and girls committed in the name of honour, including the provision of training for those responsible for enforcing the law, such as police personnel and judicial and legal personnel, and to strengthen their capacity to respond to complaints of such crimes in an impartial and effective manner and take necessary measures to ensure the protection of actual and potential victims;

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[113] A/59/281.

(*h*) To continue to support the work of civil society, including non-governmental organizations, in addressing this issue and to strengthen cooperation with intergovernmental and non-governmental organizations;

(*i*) To establish, strengthen or facilitate, where possible, support services to respond to the needs of actual and potential victims by, inter alia, providing for them the appropriate protection, safe shelter, counselling, legal aid, health-care services, including in the areas of sexual and reproductive health, psychological health and other relevant areas, rehabilitation and reintegration into society;

(*j*) To address effectively complaints of crimes against women and girls committed in the name of honour, inter alia, by creating, strengthening or facilitating institutional mechanisms so that victims and others can report such crimes in a safe and confidential environment;

(*k*) To gather and disseminate statistical information on the occurrence of such crimes, including information disaggregated by sex and age, and to make any such information available to the Secretariat for use in the in-depth study on violence against women, in accordance with resolution 58/185, and the in-depth study on violence against children, in accordance with resolution 57/190;

(*l*) To include, where appropriate, in their reports to the human rights treaty bodies information on legal and policy measures adopted and implemented in their efforts to prevent and eliminate crimes against women and girls committed in the name of honour;

4. *Invites:*

(*a*) The international community, including relevant United Nations bodies, funds and programmes, inter alia, through technical assistance and advisory services programmes, to support the efforts of all countries, at their request, aimed at strengthening institutional capacity for preventing crimes against women and girls committed in the name of honour and at addressing the root causes of such crimes;

(*b*) The relevant human rights treaty bodies, where appropriate, and the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences to continue to address this issue;

5. *Requests* the Secretary-General to report on the implementation of the present resolution in his report on the question of violence against women to the General Assembly at its sixtieth session.

RESOLUTION 59/166

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/496, para. 27)[114]

59/166. Trafficking in women and girls

The General Assembly,

Recalling all previous resolutions on the problem of trafficking in women and girls adopted by the General Assembly and the Commission on Human Rights, including their reaffirmation of the principles set forth in relevant human rights instruments and declarations, as well as the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[115] the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women[116] and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,[117]

Welcoming the entry into force of the United Nations Convention against Transnational Organized Crime[118] on 29 September 2003 and of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime[119] on 25 December 2003 and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime[120] on 28 January 2004,

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[114] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Ghana, Greece, Grenada, Guatemala, Hungary, Iceland, Indonesia, Ireland, Italy, Japan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mexico, Monaco, Mongolia, Namibia, Netherlands, New Zealand, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of) and Viet Nam.

[115] Resolution 54/263, annex II.

[116] Resolution 54/4, annex.

[117] Resolution 317 (IV), annex.

[118] Resolution 55/25, annex I.

[119] Ibid., annex II.

[120] Ibid., annex III.

Recalling the United Nations Millennium Declaration,[121] in particular the resolve expressed by Heads of State and Government to intensify efforts to fight transnational organized crime in all its dimensions, including trafficking in human beings,

Reaffirming the provisions pertaining to trafficking in women and girls contained in the outcome documents of relevant international conferences and summits, in particular the strategic objective on the issue of trafficking contained in the Beijing Declaration and Platform for Action[122] adopted by the Fourth World Conference on Women,

Acknowledging the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court,[123] which entered into force on 1 July 2002,

Recognizing the need to address the impact of globalization on the particular problem of trafficking in women and children, in particular girls,

Bearing in mind that all States have an obligation to exercise due diligence to prevent, investigate and punish perpetrators of trafficking in persons and to provide protection to the victims and that not doing so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms,

Seriously concerned that an increasing number of women and girls from developing countries and from some countries with economies in transition are being trafficked to developed countries, as well as within and between regions and States, and that men and boys are also victims of trafficking, including for sexual exploitation,

Recognizing that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance and that women and girl victims are often subject to multiple forms of discrimination on the grounds of their gender as well as their origins,

Acknowledging that women and girl victims of trafficking, on account of their gender, are further disadvantaged and marginalized by a general lack of information or awareness and recognition of their human rights, as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights, and that special measures are required for their protection and to increase their awareness,

Recognizing the importance of bilateral, subregional and regional cooperation mechanisms and initiatives of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Recognizing also that global efforts, including international cooperation and technical assistance programmes, to eradicate trafficking in persons, especially women and children, demand the strong political commitment, shared responsibility and active cooperation of all Governments of countries of origin, transit and destination,

Recognizing further that policies and programmes for prevention, rehabilitation and reintegration should be developed through a child- and gender-sensitive, comprehensive and multidisciplinary approach involving all actors in countries of origin, transit and destination,

Concerned about the use of new information technologies, including the Internet, for purposes of exploitation of the prostitution of others and for child pornography, paedophilia and any other forms of sexual exploitation of children, trafficking in women as brides and sex tourism,

Concerned also at the increasing activities of transnational criminal organizations and others that profit from international trafficking in persons, especially women and children, without regard to dangerous and inhumane conditions and in flagrant violation of domestic laws and international standards,

Convinced of the need to protect and assist all victims of trafficking, with full respect for their human rights,

1. *Takes note with appreciation* of the report of the Secretary-General;[124]

2. *Welcomes* the efforts of Governments, United Nations bodies and agencies and intergovernmental and non-governmental organizations to address the particular problem of trafficking in women and girls, and encourages them to continue doing so and to share their knowledge and best practices as widely as possible;

3. *Also welcomes* the appointment of the Special Rapporteur of the Commission on Human Rights on trafficking in persons, especially women and children;

4. *Urges* Governments to take appropriate measures to address the root factors, including poverty and gender inequality, as well as external factors that encourage the particular problem of trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriage and forced labour, in order to eliminate such trafficking, including by strengthening existing legislation with a view to providing better protection of

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[121] See resolution 55/2.

[122] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[123] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[124] A/59/185 and Corr.1.

the rights of women and girls and to punishing perpetrators, through both criminal and civil measures;

5. *Also urges* Governments to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in women and girls, including for sexual exploitation, as part of a comprehensive anti-trafficking strategy that integrates a gender and human rights perspective, and to draw up, as appropriate, national action plans in this regard;

6. *Further urges* Governments to consider signing and ratifying and States parties to implement relevant United Nations legal instruments such as the United Nations Convention against Transnational Organized Crime[118] and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[119] the Convention on the Elimination of All Forms of Discrimination against Women,[125] the Convention on the Rights of the Child,[126] the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women[116] and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[115] as well as the Convention concerning Discrimination in respect of Employment and Occupation, 1958 (Convention No. 111) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization;

7. *Encourages* Member States to conclude bilateral, subregional, regional and international agreements, as well as to undertake initiatives, including regional initiatives,[127] to address the problem of trafficking in persons, and to ensure that such agreements and initiatives pay particular attention to the problem of trafficking in women and girls;

8. *Calls upon* all Governments to criminalize all forms of trafficking in persons, recognizing its increasing occurrence for purposes of sexual exploitation and sex tourism, and to condemn and penalize all those offenders involved, including intermediaries, whether local or foreign, through the competent national authorities, either in the country of origin of the offender or in the country in which the abuse occurs, in accordance with due process of law, while also ensuring that the victims of those practices are not penalized for being trafficked, and to penalize persons in authority found guilty of sexually assaulting victims of trafficking in their custody;

9. *Invites* Governments to strengthen international cooperation aimed at preventing and combating corruption and the laundering of proceeds derived from trafficking, including for purposes of commercialized sexual exploitation;

10. *Also invites* Governments to consider setting up or strengthening a national coordinating mechanism, for example, a national rapporteur or an inter-agency body, with the participation of civil society, including non-governmental organizations, to encourage the exchange of information and to report on data, root causes, factors and trends in violence against women, in particular trafficking;

11. *Encourages* Governments and relevant United Nations bodies, within existing resources, to take appropriate measures to raise public awareness of the issue of trafficking in persons, particularly in women and girls, including to address the demand side of the problem and to publicize the laws, regulations and penalties relating to this issue, and to emphasize that trafficking is a crime, in order to eliminate the demand, including by sex tourists, recognizing that the majority of trafficked victims are women and girls;

12. *Urges* concerned Governments, in cooperation with intergovernmental and non-governmental organizations, to support and allocate resources for programmes to strengthen preventive action, in particular education and campaigns to increase public awareness of the issue at the national and grass-roots levels;

13. *Calls upon* concerned Governments to allocate resources, as appropriate, to provide comprehensive programmes for the physical, psychological and social recovery of victims of trafficking, including through job training, legal assistance and health care, including for HIV/AIDS, and by taking measures to cooperate with intergovernmental and non-governmental organizations to provide for the social, medical and psychological care of the victims;

14. *Encourages* Governments, in cooperation with intergovernmental and non-governmental organizations, to undertake campaigns aimed at clarifying opportunities, limitations and rights in the event of migration so as to enable women to make informed decisions and to prevent them from becoming victims of trafficking;

15. *Also encourages* Governments to intensify collaboration with non-governmental organizations to develop and implement programmes for effective counselling, training and reintegration into society of victims of trafficking and programmes that provide shelter and helplines to victims or potential victims;

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[125] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[126] Ibid., vol. 1577, No. 27531.

[127] Such as the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, the Action Plan for the Asia-Pacific region of the Asian Regional Initiative against Trafficking in Persons, Especially Women and Children (see A/C.3/55/3, annex), the initiatives of the European Union on a comprehensive European policy and programmes on trafficking in human beings, as expressed in the conclusions of the European Council at its meeting held at Tampere, Finland, on 15 and 16 October 1999 (see SN 200/99; available from www.europa.eu.int), and the activities of the Council of Europe, the Organization for Security and Cooperation in Europe, the International Labour Organization and the International Organization for Migration in this field.

16. *Calls upon* Governments to take steps to ensure that the treatment of victims of trafficking, as well as all measures taken against trafficking in persons, in particular those that affect the victims of such trafficking, pay particular attention to the needs of women and girls and are applied with full respect for the human rights of those victims and are consistent with internationally recognized principles of non-discrimination, including the prohibition of racial discrimination and the availability of appropriate legal redress, which may include measures that offer victims the possibility of obtaining compensation for damage suffered;

17. *Invites* Governments to take steps to ensure that criminal justice procedures and witness protection programmes are sensitive to the particular situation of trafficked women and girls and that they are enabled to make complaints to the police or other authorities, as appropriate, and to be available when required by the criminal justice system, and to ensure that during this time they have access to protection and social, medical, financial and legal assistance, as appropriate;

18. *Also invites* Governments to consider preventing, within the legal framework and in accordance with national policies, victims of trafficking in persons, in particular women and girls, from being prosecuted for their illegal entry or residence, bearing in mind that they are victims of exploitation;

19. *Further invites* Governments to encourage Internet service providers to adopt or strengthen self-regulatory measures to promote the responsible use of the Internet with a view to eliminating trafficking in women and children, in particular girls;

20. *Invites* the business sector, in particular the tourism and telecommunications industries, including mass media organizations, to cooperate with Governments in eliminating trafficking in women and children, in particular girls, including through the dissemination by the media of information regarding the rights of trafficked persons and services available to victims of trafficking;

21. *Stresses* the need for systematic data collection and comprehensive studies at both the national and the international levels and the development of common methodologies and internationally defined indicators to make it possible to develop relevant and comparable figures, and encourages Governments to enhance information-sharing and data-collection capacity as a way of promoting cooperation to combat the trafficking problem;

22. *Urges* Governments to strengthen national programmes to combat trafficking in persons, especially women and girls, through increased bilateral, regional and international cooperation, taking into account innovative approaches and best practices, and invites Governments, United Nations bodies and organizations, intergovernmental and non-governmental organizations and the private sector to undertake collaborative and joint research and studies on trafficking in women and girls that can serve as a basis for policy formulation or change;

23. *Invites* Governments, with the support of the United Nations as required, and other intergovernmental organizations, taking into account best practices, to formulate training manuals for law enforcement and medical personnel and judicial officers, with a view to sensitizing them to the special needs of women and girl victims;

24. *Urges* Governments to provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention and combating of trafficking in persons, including the sexual exploitation of women and girls, which should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of victims, including protecting the victims from traffickers, to ensure that the training includes human rights and child- and gender-sensitive perspectives, and to encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;

25. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the International Covenants on Human Rights[128] to include information and statistics on trafficking in women and girls as part of their national reports to their respective committees and to work towards developing a common methodology and statistics to obtain comparable data;

26. *Requests* the Secretary-General to compile, as reference and guidance, successful interventions and strategies in addressing the various dimensions of the particular problem of trafficking in women and children, in particular girls, based on reports, research and other materials from within the United Nations, including the United Nations Office on Drugs and Crime, as well as from outside the United Nations, and to submit a report on the implementation of the present resolution to the General Assembly at its sixty-first session.

RESOLUTION 59/167

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/497, para. 14)[129]

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[128] Resolution 2200 A (XXI), annex.

[129] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belize, Benin, Burkina Faso, Cameroon, Cape Verde, China, Comoros, Congo, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, Fiji, Grenada, Guinea-Bissau, Haiti, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Namibia, Nigeria, Oman, Pakistan, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Singapore, Somalia, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, Turkmenistan, United Arab Emirates, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Yemen.

59/167. Elimination of all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century"

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations, which, inter alia, calls for international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling also the Universal Declaration of Human Rights,[130] the Declaration on the Elimination of Discrimination against Women,[131] the Declaration on the Elimination of Violence against Women,[132] the United Nations Declaration on the Elimination of All Forms of Racial Discrimination,[133] the Beijing Declaration[134] and Platform for Action[135] adopted by the Fourth World Conference on Women, the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights[136] and the United Nations Millennium Declaration,[137]

Recalling further its resolution 57/181 of 18 December 2002 and the agreed conclusions adopted by the Commission on the Status of Women at its forty-eighth session on 12 March 2004,[138]

Reaffirming the obligations of all States to promote and protect human rights and fundamental freedoms, as enunciated in the Charter, and reaffirming also the obligations of States parties under international human rights instruments, in particular the International Covenant on Civil and Political Rights,[139] the International Covenant on Economic, Social and Cultural Rights,[139] the Convention on the Elimination of All Forms of Discrimination against Women,[140] the International Convention on the Elimination of All Forms of Racial Discrimination,[141] the Convention on the Rights of the Child,[142] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[143] and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[144]

Reaffirming also the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[145]

Reaffirming further the call for the elimination of violence against women and girls, especially all forms of commercial sexual exploitation as well as economic exploitation, including trafficking in women and children, female infanticide, crimes committed in the name of honour, crimes committed in the name of passion, racially motivated crimes, the abduction and sale of children, dowry-related violence and deaths, acid attacks and harmful traditional or customary practices, such as female genital mutilation and early and forced marriage,

Stressing the importance of the empowerment of women as a tool to eliminate all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session,

1. *Welcomes* the report of the Secretary-General;[146]

2. *Expresses deep concern* at the persistence of various forms of violence and crimes against women in all parts of the world, especially all forms of commercial sexual exploitation as well as economic exploitation, including trafficking in women and children, female infanticide, crimes committed in the name of honour, crimes committed in the name of passion, racially motivated crimes, the abduction and sale of children, dowry-related violence and deaths, acid attacks and harmful traditional or customary practices, such as female genital mutilation and early and forced marriage;

3. *Stresses* that all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session of the General Assembly,[145] are obstacles to the advancement and empowerment of women, and reaffirms that violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms;

4. *Also stresses* the need to treat all forms of violence against women and girls of all ages as a criminal offence

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[130] Resolution 217 A (III).

[131] See resolution 2263 (XXII).

[132] See resolution 48/104.

[133] See resolution 1904 (XVIII).

[134] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[135] Ibid., annex II.

[136] A/CONF.157/24 (Part I), chap. III.

[137] See resolution 55/2.

[138] See *Official Records of the Economic and Social Council, 2004, Supplement No. 7* (E/2004/27), chap. I, sect. A; see also Economic and Social Council resolutions 2004/11 and 2004/12.

[139] See resolution 2200 A (XXI), annex.

[140] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[141] Resolution 2106 A (XX), annex.

[142] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[143] Ibid., vol. 1465, No. 24841.

[144] Resolution 45/158, annex.

[145] Resolution S-23/3, annex.

[146] A/59/281.

punishable by law, including violence based on all forms of discrimination;

5. *Welcomes* specific legal and comprehensive legislative measures being enacted or contemplated, in particular with regard to various forms of violence against women and girls;

6. *Also welcomes* in this regard the launching of various initiatives, strategies and action plans aimed at, among other things, eradication, prevention, promotion, information, legislation, protection and welfare, education and research, enhancement of the economic capacity of women and the monitoring of the various forms of violence against women;

7. *Reaffirms* that there is increased awareness of and commitment to preventing and combating violence against women, including crimes identified in the outcome document of the twenty-third special session, welcomes in this context various legal, administrative and other measures taken by Governments for their prevention and elimination, and calls for high priority to be attached to the further strengthening of such measures;

8. *Urges* Member States to strengthen awareness and preventive measures for the elimination of all forms of violence against women, whether occurring in public or private life, by encouraging and supporting public campaigns to enhance awareness about the unacceptability and the social costs of violence against women, inter alia, through educational and media campaigns in cooperation with educators, community leaders and the electronic and print media;

9. *Calls upon* States to encourage and support the active participation of men and boys in the prevention and elimination of all forms of violence, especially gender-based violence, and to increase the awareness of men and boys of their responsibility in ending violence against women;

10. *Expresses its appreciation* of the work being done by non-governmental organizations, including women's organizations, community-based organizations and individuals, in raising awareness about the economic, social and psychological costs of all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session, and in this regard encourages Governments to continue their support for the work of the non-governmental organizations in addressing this issue;

11. *Calls upon* States to fulfil their obligations under the relevant human rights instruments and to implement the Beijing Platform for Action[135] as well as the outcome document of the twenty-third special session;

12. *Encourages* States parties to include in their reports to the Committee on the Elimination of Discrimination against Women and other relevant treaty bodies, wherever possible, sex-disaggregated data and information on measures taken or initiated to eliminate all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session;

13. *Urges* relevant entities of the United Nations system, within their mandates, to assist countries, upon their request, in their efforts to prevent and eliminate all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session, and in this regard expresses its appreciation of the work being done by the United Nations Population Fund, the United Nations Children's Fund and the United Nations Development Fund for Women and other relevant funds and programmes aimed at preventing and eliminating violence against women and girls;

14. *Invites* the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences to further devote equal attention to all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session, in her work and her reports, within her mandate, to the Commission on Human Rights and the General Assembly;

15. *Requests* the Secretary-General to submit a comprehensive report on the matter to the General Assembly at its sixtieth session.

RESOLUTION 59/168

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/497, para. 14)[147]

59/168. Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly

The General Assembly,

Recalling its previous resolutions on the question, including resolution 58/148 of 22 December 2003,

Recalling also the contributions of the four World Conferences on Women, held in Mexico City, Copenhagen, Nairobi and Beijing, to the advancement of women and the promotion of gender equality,

Deeply convinced that the Beijing Declaration and Platform for Action[148] and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[149] are important contributions to the advancement of women worldwide in the achievement of gender equality and must be translated into effective action by all States, the United Nations system and other organizations concerned,

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[147] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[148] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

Reaffirming its commitment to the full and effective implementation of the Beijing Declaration and Platform for Action and the outcome document of the twenty-third special session, including the twelve critical areas of concern, namely women and poverty, education and training of women, women and health, violence against women, women and armed conflict, women and the economy, women in power and decision-making, institutional mechanisms for the advancement of women, human rights of women, women and the media, women and the environment and the girl child,

Also reaffirming its commitment to overcoming obstacles encountered in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session and to strengthening a national and international enabling environment in this regard,

Recognizing that the responsibility for the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session rests primarily at the national level and that strengthened efforts are necessary in this respect, and reiterating that enhanced international cooperation is essential for the effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

Welcoming the increased attention to the situation of women and girls and the integration of gender perspectives in the work of the United Nations, in particular in the outcomes of major conferences, special sessions and summit conferences and their follow-up processes, as well as the review and appraisal by the Economic and Social Council of the system-wide implementation of its agreed conclusions 1997/2 of 18 July 1997 on mainstreaming a gender perspective into all policies and programmes in the United Nations system,[150] the inclusion of the question of gender mainstreaming in its agenda, the consideration of annual progress made in gender mainstreaming and the attention given to the gender perspective in the outcomes of its substantive session of 2004,

Reaffirming the primary and essential role of the General Assembly and the Economic and Social Council in promoting the advancement of women and gender equality, while noting the open debate on women and peace and security held in the Security Council on 28 October 2004,[151] as well as previous debates,

Bearing in mind its relevant resolutions and Security Council resolution 1325 (2000) of 31 October 2000,

1. *Takes note with appreciation* of the report of the Secretary-General on measures taken and progress achieved in follow-up to the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly;[152]

2. *Reaffirms* the goals, objectives and commitments contained in the Beijing Declaration and Platform for Action[148] and in the political declaration and further actions and initiatives to implement the Beijing Declaration and Platform for Action adopted by the General Assembly at its twenty-third special session;[149]

3. *Stresses* the need to undertake further action to ensure the full and accelerated implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, inter alia, through the promotion and protection of all human rights and fundamental freedoms, the mainstreaming of gender perspectives into all policies and programmes and the promotion of full and equal participation and empowerment of women and enhanced international cooperation for the full implementation of the Beijing Platform for Action;

4. *Underlines* the significance of the forty-ninth session of the Commission on the Status of Women, which will mark the tenth anniversary of the Beijing Declaration and Platform for Action and the fifth anniversary of the twenty-third special session, and at which the Commission will review the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session and consider the current challenges and forward-looking strategies for the advancement of women, as well as the comprehensive report of the Secretary-General;

5. *Stresses* the importance of strong, sustained political will and commitment at the national, regional and international levels for achieving full and accelerated implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

6. *Welcomes* the opportunity provided by the forty-ninth session of the Commission on the Status of Women to demonstrate continued and full commitment to the full and effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

7. *Encourages* participation in the forty-ninth session of the Commission on the Status of Women at a high political level;

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[149] Resolution S-23/2, annex, and resolution S-23/3, annex.

[150] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3* (A/52/3/Rev.1), chap. IV, para. 4.

[151] See S/PV.5066 and S/PV.5066 (Resumption 1).

[152] A/59/214.

8. *Invites* States and the United Nations system to publicize the forthcoming session of the Commission on the Status of Women, including through consultation with civil society;

9. *Calls upon* Governments, the relevant entities of the United Nations system, within their respective mandates, and all relevant actors of civil society, including non-governmental organizations, to continue to take effective action to achieve the full and effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

10. *Emphasizes* that the creation of an enabling environment at the national and international levels, including by ensuring the participation of women on an equal basis with men at all levels of decision-making, is necessary to ensure the full participation of women in all aspects of social, political and economic activities, and in this regard calls upon States to remove obstacles to the full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

11. *Emphasizes also* the importance of men and boys taking joint responsibility with women and girls in the promotion of gender equality, taking into account the agreed conclusions adopted by the Commission on the Status of Women at its forty-eighth session on 12 March 2004;[153]

12. *Welcomes* the contributions of the Commission on the Status of Women to the follow-up and review of the implementation of the commitments made in the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, reaffirms that the Commission will continue to play a central role in this regard, and encourages Governments, the relevant specialized agencies, funds and programmes of the United Nations system and civil society to continue to support its work;

13. *Stresses* the importance of implementing the agreed conclusions adopted by the Commission on the Status of Women since its fortieth session;

14. *Reaffirms* its decision that the General Assembly, the Economic and Social Council and the Commission on the Status of Women, in accordance with their respective mandates and with General Assembly resolutions 48/162 of 20 December 1993 and 57/270 B of 23 June 2003 and other relevant resolutions, constitute a three-tiered intergovernmental mechanism that plays the primary role in overall policy-making and follow-up and in coordinating the implementation and monitoring of the Beijing Platform for Action and the outcome of the twenty-third special session;

15. *Recalls* that, in accordance with resolution 57/270 B, the follow-up to the Fourth World Conference on Women and the twenty-third special session will continue to be undertaken within the framework of an integrated and coordinated follow-up to major international conferences and summits in the economic, social and related fields, and also recalls in this regard the request to each functional commission of the Economic and Social Council to examine its methods of work in order to better pursue the implementation of the outcomes of major United Nations conferences and summits and report to the Council no later than 2005 on the outcome of this examination;

16. *Recognizes* the importance attached to the regional and subregional monitoring of the global and regional platforms for action and of the implementation of the outcome of the twenty-third special session by regional commissions and other regional or subregional structures, within their mandates, in consultation with Governments, calls for the promotion of further cooperation in that respect among Governments and, where appropriate, national machineries of the same region, and welcomes in this regard the contributions of the United Nations regional commissions to the forty-ninth session of the Commission on the Status of Women;

17. *Encourages* the Economic and Social Council to reiterate its request to the regional commissions that have not yet done so, within their respective mandates and resources, to intensify efforts to build up a database, to be updated regularly, in which all programmes and projects carried out in their respective regions by organizations or bodies of the United Nations system are listed, and to facilitate the dissemination of information on such programmes and projects, as well as the evaluation of their impact on the empowerment of women through the implementation of the Beijing Platform for Action;

18. *Welcomes* Economic and Social Council decision 2004/309 of 23 July 2004, in which the Chairperson of the forty-ninth session of the Commission on the Status of Women is requested to submit the outcome of the session, through the Economic and Social Council, to the General Assembly at its sixtieth session, including to the high-level event of the Assembly on the review of the United Nations Millennium Declaration;[154]

19. *Emphasizes* that the full and effective implementation of the Beijing Declaration and Platform for Action and the promotion of gender equality and of women's empowerment and participation, together with the mainstreaming of a gender perspective, are among the essential elements for advancing the implementation of the Millennium Declaration, with a view, in particular, to achieving the internationally agreed development goals, including those

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[153] See *Official Records of the Economic and Social Council, 2004, Supplement No. 7* (E/2004/27), chap. I, sect. A; see also Economic and Social Council resolution 2004/11.

[154] See resolution 55/2.

contained in the Millennium Declaration and the outcomes of United Nations summits, conferences and special sessions;

20. *Recognizes* that adequate mobilization of resources at the national and international levels, as well as new and additional resources for the developing countries, including the least developed countries and countries with economies in transition, from all available funding mechanisms, including multilateral, bilateral and private sources, will also be required;

21. *Requests* the Secretary-General to highlight the contribution of the Beijing Declaration and Platform for Action to the implementation of the Millennium Declaration and to integrate gender perspectives in his preparations, including reports, for the review of the Millennium Declaration;

22. *Calls upon* Member States to incorporate gender perspectives in their preparations for the review of the Millennium Declaration;

23. *Requests* the Secretary-General to include in his report on the follow-up to the Millennium Declaration an assessment of the progress made in promoting the goal of gender equality, in particular in relation to the development goals set forth in the Millennium Declaration, and recommendations to improve the measurement and coverage of indicators so that progress towards gender equality can be evaluated over time;

24. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women[155] to include information on measures taken to implement the outcome of the twenty-third special session, as well as the Beijing Platform for Action, in their reports to the Committee on the Elimination of Discrimination against Women under article 18 of the Convention;

25. *Urges* States parties to comply fully with their obligations under the Convention on the Elimination of All Forms of Discrimination against Women and those that have not yet done so to consider signing, ratifying or acceding to the Optional Protocol thereto;[156]

26. *Recognizes* the important role of law, including legislation, in the promotion of gender equality and the implementation of the Beijing Platform for Action, commends the progress made by States in the area of legal reform, and calls upon States to continue their efforts to repeal laws and eradicate practices that discriminate against women and to adopt laws and promote practices that protect the rights of women and promote gender equality;

27. *Urges* Member States to consider signing, ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[157] in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

28. *Calls upon* Governments, the United Nations system and all other relevant actors to continue to integrate gender perspectives into the implementation of and follow-up to recent United Nations conferences, summits and special sessions;

29. *Affirms* that, in order to ensure the effective implementation of the strategic objectives of the Beijing Platform for Action and the outcome of the twenty-third special session, the United Nations system should continue to promote an active and visible policy of mainstreaming gender perspectives, including through the work of the Division for the Advancement of Women and the Office of the Special Adviser on Gender Issues and Advancement of Women and the maintenance of gender units, focal points and gender specialists, and with the active support of all United Nations bodies, including by ensuring that all United Nations personnel, especially in the field, receive training on gender perspectives in their work, including gender impact analysis, and that appropriate follow-up training is provided;

30. *Recognizes* the need to further include gender perspectives in the work of its Main Committees and other intergovernmental bodies;

31. *Requests* all bodies that deal with programme and budgetary matters, including the Committee for Programme and Coordination, to ensure that all programmes, plans and programme budgets visibly mainstream gender perspectives;

32. *Encourages* the Economic and Social Council to continue its efforts to ensure that gender mainstreaming is an integral part of all activities in its work and that of its subsidiary bodies, through, inter alia, the system-wide implementation of its agreed conclusions 1997/2[150] and its resolution 2004/4 of 7 July 2004;

33. *Welcomes* the convening of the World Summit on the Information Society in Tunis in 2005, and encourages Governments and all other stakeholders to integrate a gender perspective into the preparatory processes and outcome documents, taking into account the agreed conclusions adopted by the Commission on the Status of Women at its forty-seventh session on 14 March 2003;[158]

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[155] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[156] Resolution 54/4, annex.

[157] Resolution 55/25, annexes I–III, and resolution 55/255, annex.

[158] See *Official Records of the Economic and Social Council, 2003, Supplement No. 7* (E/2003/27), chap. I, sect. A; see also Economic and Social Council resolution 2003/44.

34. *Recognizes* the important role of women in the prevention and resolution of conflicts and in peacebuilding, and urges Governments and the United Nations system to take further steps to ensure the integration of gender perspectives and the full and equal participation of women at all levels of decision-making and implementation in all aspects of conflict prevention and resolution and peacebuilding activities and to ensure that efforts to strengthen the rule of law and transitional justice in conflict and post-conflict situations incorporate gender perspectives, with a view to achieving gender equality in constitutional, legislative and judicial reform;

35. *Strongly encourages* Governments to continue to support the role and contribution of civil society, in particular non-governmental organizations and women's organizations, in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

36. *Requests* the Secretary-General to continue to promote the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session and to disseminate those documents as widely as possible in all the official languages of the United Nations;

37. *Also requests* the Secretary-General to report annually to the General Assembly, the Economic and Social Council and the Commission on the Status of Women on the follow-up to and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, with an assessment of progress made in mainstreaming a gender perspective within the United Nations system, including by providing information on key achievements, lessons learned and best practices, and to recommend further measures and strategies for future action within the United Nations system;

38. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled 'Women 2000: gender equality, development and peace for the twenty-first century' ".

RESOLUTION 59/169

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/498, para. 24)[159]

59/169. Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 2004/238 of 21 July 2004 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the requests regarding the enlargement of the Executive Committee contained in the letter dated 23 March 2004 from the Permanent Representative of Romania to the United Nations addressed to the Secretary-General[160] and the letter dated 2 June 2004 from the Permanent Representative of Ghana to the United Nations addressed to the Secretary-General,[161]

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from sixty-six to sixty-eight States;

2. *Requests* the Economic and Social Council to elect the additional members at its resumed organizational session for 2005.

RESOLUTION 59/170

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/498, para. 24)[162]

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[159] The draft resolution recommended in the report was sponsored in the Committee by: Ethiopia, Ghana, Romania and Togo.

[160] E/2004/49.

[161] E/2004/76.

[162] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Zambia and Zimbabwe.

59/170. Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office[163] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-fifth session[164] and the conclusions and decisions contained therein,

Recalling its previous annual resolutions on the work of the Office of the High Commissioner since its establishment by the General Assembly,

Recalling also its resolution 58/153 of 22 December 2003 on implementing actions proposed by the High Commissioner to strengthen the capacity of his Office to carry out its mandate,

Expressing its appreciation for the leadership shown by the High Commissioner, commending the staff and implementing partners of the Office of the High Commissioner for the competent, courageous and dedicated manner in which they discharge their responsibilities, and underscoring its strong condemnation of all forms of violence to which humanitarian personnel and United Nations and associated personnel are increasingly exposed,

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-fifth session;[164]

2. *Welcomes* the important work undertaken by the Office of the United Nations High Commissioner for Refugees and the Executive Committee in the course of the year, and notes in this context the adoption of the general conclusion on international protection, the conclusion on international cooperation and burden- and responsibility-sharing in mass influx situations and the conclusion on legal safety issues in the context of voluntary repatriation of refugees,[165] which are aimed at strengthening the international protection regime, consistent with the Agenda for Protection,[166] and at assisting Governments in meeting their protection responsibilities in today's changing international environment;

3. *Reaffirms* the 1951 Convention relating to the Status of Refugees[167] and its 1967 Protocol[168] as the foundation of the international refugee protection regime, and recognizes the importance of their full and effective application by States parties and the values that they embody, notes with satisfaction that one hundred and forty-five States are now parties to one instrument or to both, encourages States not parties to consider acceding to those instruments, underlines in particular the importance of full respect for the principle of non-refoulement, and recognizes that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees;

4. *Notes* that fifty-seven States are now parties to the 1954 Convention relating to the Status of Stateless Persons[169] and that twenty-nine States are parties to the 1961 Convention on the Reduction of Statelessness,[170] and encourages the High Commissioner to continue his activities on behalf of stateless persons;

5. *Notes also* that 2004 marks the twentieth anniversary of the Cartagena Declaration on Refugees and that States convened in Mexico City in November 2004 to commemorate this anniversary, recalls the contribution to refugee protection which regional approaches can make, and encourages States to strengthen further international protection of refugees in the region, in conjunction with relevant international organizations as well as representatives of civil society;

6. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions;

7. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner and in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources with a view to enhancing the capacity of, and reducing the heavy burden borne by, countries that have received large numbers of refugees and asylum-seekers, including by holding international consultations aimed at developing a comprehensive plan of action, as appropriate, to respond to a specific mass influx or protracted refugee situation, and calls upon the Office to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental and social impact of large-scale refugee populations in developing countries, in particular the least developed countries, and countries with economies in transition;

8. *Emphasizes* that international protection of refugees is a dynamic and action-oriented function that is at the core of the mandate of the Office of the High Commissioner and that

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[163] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 12* (A/59/12).

[164] Ibid., *Supplement No. 12A* (A/59/12/Add.1).

[165] Ibid., chap. III, sects. A–C.

[166] Ibid., *Fifty-seventh Session, Supplement No. 12A* (A/57/12/Add.1), annex IV.

[167] United Nations, *Treaty Series*, vol. 189, No. 2545.

[168] Ibid., vol. 606, No. 8791.

[169] Ibid., vol. 360, No. 5158.

[170] Ibid., vol. 989, No. 14458.

includes, in cooperation with States and other partners, the promotion and facilitation of, inter alia, the admission, reception and treatment of refugees and the ensuring of durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups, and notes in this context that the delivery of international protection is a staff-intensive service that requires adequate staff with the appropriate expertise, especially at the field level;

9. *Welcomes* the progress attained so far in regard to the High Commissioner's Convention Plus initiative,[171] including the development of the Multilateral Framework of Understandings on the strategic use of resettlement, and encourages the High Commissioner and interested States to strengthen the international protection regime through the development of comprehensive approaches to resolving refugee situations, including improving international burden- and responsibility-sharing and realizing durable solutions that give due regard to the importance of both protection and, where possible, refugee self-reliance;

10. *Recalls* the important role of effective partnerships and coordination in meeting the needs of refugees and other displaced persons and in finding durable solutions to their situations, welcomes the efforts under way, in cooperation with refugee-hosting countries and countries of origin, including their respective local communities, United Nations agencies and other development actors, to promote a framework for durable solutions, particularly in protracted refugee situations, which includes the "4Rs" approach (repatriation, reintegration, rehabilitation and reconstruction) to sustainable return, and encourages States, in cooperation with United Nations agencies and other development actors, to support, inter alia, through the allocation of funds, the development and implementation of the 4Rs and of other programming tools to facilitate the transition from relief to development;

11. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking permanent solutions to refugee problems, and recalls that these solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported by necessary rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

12. *Recognizes* the desirability of countries of origin, in cooperation with the Office of the High Commissioner, other States and other concerned actors, as necessary and appropriate, addressing, at an early stage, issues of a legal and administrative nature which are likely to hinder voluntary repatriation in safety and dignity, bearing in mind that some legal safety or administrative issues may be addressed only over time and that voluntary repatriation can and does take place without all legal and administrative issues having first been resolved;

13. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals who have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

14. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, deplores, in particular, the armed attacks that took place in the Gatumba transit centre in Burundi in August 2004, calls upon all States of refuge, in cooperation with international organizations, where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers, notes with interest that the High Commissioner has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue those efforts in consultation with States and other relevant actors;

15. *Encourages* the Office of the High Commissioner to continue to improve its management systems and to ensure effective and transparent use of its resources, recognizes that adequate and timely resources are essential for the Office to continue to fulfil the mandate conferred upon it through its statute[172] and by subsequent General Assembly resolutions on refugees and other persons of concern, recalls its resolutions 58/153 and 58/270 of 23 December 2003 concerning the implementation of paragraph 20 of the statute of the Office, and urges Governments and other donors to respond promptly to the annual and supplementary appeals issued by the Office for requirements under its programmes;

16. *Requests* the High Commissioner to report on his activities to the General Assembly at its sixtieth session.

RESOLUTION 59/171

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/498, para. 24)[173]

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[171] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 12* (A/59/12), chap. III.

[172] Resolution 428 (V), annex.

[173] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Benin, Bosnia and Herzegovina, Djibouti, Jordan, Lebanon, Mexico, Pakistan, Qatar and Thailand.

59/171. New international humanitarian order

The General Assembly,

Recalling its resolution 57/184 of 18 December 2002 and all previous resolutions concerning the promotion of a new international humanitarian order[174] as well as all relevant resolutions, in particular resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations, and the annex thereto,

Reaffirming the fundamental importance of adherence to and implementation of international humanitarian law, refugee law and human rights law as well as internationally accepted norms and principles, in particular the principles of humanity, neutrality and impartiality for the provision of humanitarian assistance,

Recognizing the importance of action at the national and regional levels and the role that regional organizations can play in certain cases to prevent humanitarian crises, and noting with appreciation the complementary role played in this regard by the United Nations entities, including the agencies, funds and programmes,

Aware of the important role that international organizations, intergovernmental and non-governmental organizations and the private sector can play, within their respective mandates, in the humanitarian context,

Concerned by the increasingly difficult context in which humanitarian assistance takes place in some areas, in particular the continuous erosion, in many cases, of respect for the principles and rules of international humanitarian law,

Emphasizing the importance of continued international cooperation in support of the efforts of affected States in dealing with natural disasters and complex emergencies in all their phases,

Reiterating that humanitarian assistance should be provided in a way which is not to the detriment of resources made available for international cooperation for development,

Taking note of the report of the Secretary-General,[175]

1. *Expresses its appreciation* for the continuing efforts of the Secretary-General in the humanitarian field, and urges Governments to assist him in promoting a new international humanitarian order that corresponds to new realities and challenges, including the development of an agenda for humanitarian action, in accordance with international law;

2. *Reaffirms* the obligation of all States and parties to armed conflicts to protect civilians in armed conflicts in accordance with international humanitarian law, and invites States to promote a culture of protection, taking into account the particular needs of women, children, older persons and persons with disabilities;

3. *Calls upon* all Governments and parties in complex humanitarian emergencies, in particular armed conflicts and post-conflict situations, in countries in which humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel in order to allow them to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons;

4. *Urges* Governments, intergovernmental and non-governmental organizations and others concerned to extend cooperation and provide support to the efforts of the Secretary-General, inter alia, through the relevant United Nations agencies and organizational mechanisms set up to address the assistance and protection needs of victims of complex emergencies as well as the safety and security of United Nations and other humanitarian workers;

5. *Invites* the Secretary-General to continue to promote strict adherence to refugee law, international humanitarian law, human rights law and internationally accepted norms and principles in situations of humanitarian emergency;

6. *Recognizes* the complementarity between humanitarian assistance and human rights;

7. *Encourages* the international community to improve its response to humanitarian emergencies, including those of a protracted nature, including efforts by donors with regard to policies and practices of good donorship;

8. *Encourages* intergovernmental and non-governmental organizations as well as the private sector to assist and support national and international efforts to respond to humanitarian challenges and alleviate human suffering;

9. *Recognizes* the important need to address more effectively the transition from relief to development, and welcomes in this regard the request made by the Economic and Social Council to the Secretary-General to prepare a report on the issue for further consideration by the Council and the General Assembly;

10. *Invites* Member States, the Secretary-General and the United Nations system, within their respective mandates, to strengthen the capacities of regional and subregional organizations, where applicable, in the context of the response to humanitarian crises;

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[174] Resolutions 36/136, 37/201, 38/125, 40/126, 42/120, 42/121, 43/129, 43/130, 45/101, 45/102, 47/106, 49/170, 51/74, 53/124 and 55/73.

[175] A/59/554.

11. *Invites* Member States, the Office for the Coordination of Humanitarian Affairs of the Secretariat, relevant entities of the United Nations system, and intergovernmental and non-governmental organizations, including the Independent Bureau for Humanitarian Issues, to reinforce activities and cooperation so as to continue to develop an agenda for humanitarian action;

12. *Requests* the Secretary-General to support the process of developing an agenda for humanitarian action and to report to the General Assembly at its sixty-first session on the overall progress made.

RESOLUTION 59/172

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/498, para. 24)[176]

59/172. Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 58/149 of 22 December 2003,

Recalling also the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[177] and the African Charter on Human and Peoples' Rights,[178]

Reaffirming that the 1951 Convention relating to the Status of Refugees,[179] together with the 1967 Protocol thereto,[180] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

1. *Takes note* of the reports of the Secretary-General[181] and the United Nations High Commissioner for Refugees;[182]

2. *Notes* the need for African States to address resolutely the root causes of all forms of forced displacement in Africa and to foster peace, stability and prosperity throughout the African continent so as to forestall refugee flows, and calls upon the international community, including States, the Office of the United Nations High Commissioner for Refugees, and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute generously to projects and programmes aimed at alleviating their plight and facilitating durable solutions for refugees and displaced persons;

3. *Welcomes* decision EX.CL/Dec.127 (V) on the situation of refugees, returnees and displaced persons in Africa adopted by the Executive Council of the African Union at its fifth ordinary session, held at Addis Ababa from 30 June to 3 July 2004;

4. *Takes note* of the holding of the conference organized by the African Parliamentary Union and the United Nations High Commissioner for Refugees on "Refugees in Africa: the challenges of protection and solutions" at Cotonou, Benin, from 1 to 3 June 2004;

5. *Expresses its appreciation* for the leadership shown by the High Commissioner since assuming office in January 2001, and commends the Office of the High Commissioner for its ongoing efforts, with the support of the international community, to assist African countries of asylum and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

6. *Encourages* the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the Office of the United Nations High Commissioner for Human Rights and the African Commission on Human and Peoples' Rights, in conjunction with relevant agencies of the United Nations system and intergovernmental organizations, within their respective mandates, in the promotion and protection of the human rights and fundamental freedoms of refugees, returnees and displaced persons in Africa, and welcomes in this regard the appointment by the African Commission on Human and Peoples' Rights of its Special Rapporteur on refugees and internally displaced persons in Africa;

7. *Recognizes* that, among refugees, returnees and internally displaced persons, women and children are the majority of the population affected by conflict and bear the brunt of atrocities and other consequences of conflict, and in this regard takes note of the report of the Secretary-General on women and peace and security submitted to and discussed by the Security Council;[183]

8. *Reiterates* the importance of the full and effective implementation of standards and procedures to better address the specific protection needs of refugee children and adolescents

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[176] The draft resolution recommended in the report was sponsored in the Committee by: Austria, Belgium, Canada, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Finland, France, Ghana, Greece, Iceland, Ireland, Italy, Japan, Lithuania, Luxembourg, Malta, Netherlands, Norway, Portugal, Sierra Leone, South Africa (on behalf of the States Members of the United Nations that are members of the Group of African States), Spain, Sweden, the former Yugoslav Republic of Macedonia and United Kingdom of Great Britain and Northern Ireland.

[177] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[178] Ibid., vol. 1520, No. 26363.

[179] Ibid., vol. 189, No. 2545.

[180] Ibid., vol. 606, No. 8791.

[181] A/59/317.

[182] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 12* (A/59/12).

[183] S/2004/814.

and to safeguard rights and, in particular, to ensure adequate attention to unaccompanied and separated children and former child soldiers in refugee settings, as well as in the context of voluntary repatriation and reintegration measures;

9. *Notes with great concern* that, despite all of the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious, calls upon States and other parties to armed conflict to observe scrupulously the letter and the spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa, and welcomes in this regard the appointment by the African Union of its Special Representative on the protection of civilians in armed conflict;

10. *Recognizes* the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to enable the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

11. *Also recognizes* the need to strengthen the capacity of States to provide assistance to and protection for refugees, returnees and displaced persons, and calls upon the international community, in the context of burden- and responsibility-sharing, to increase its material, financial and technical assistance in countries affected by refugees, returnees and displaced persons, to address simultaneously the inadequacies of existing assistance arrangements and to support initiatives in this regard;

12. *Reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, and calls upon States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character;

13. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, deplores, in particular, the armed attacks that took place in the Gatumba transit centre in Burundi in August 2004, calls upon States of refuge, in cooperation with international organizations, where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers, notes with interest that the United Nations High Commissioner for Refugees has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue these efforts in consultation with States and other relevant actors;

14. *Deplores* the deaths, injuries and other forms of violence sustained by staff members of the Office of the High Commissioner and other humanitarian organizations, urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure their safety and security, calls upon States to investigate fully any crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes, and calls upon organizations and aid workers to abide by the national laws and regulations of the countries in which they operate;

15. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the international refugee protection system, and welcomes in this regard the High Commissioner joining the Joint United Nations Programme on HIV/AIDS in 2004 as a co-sponsor;

16. *Calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities, and welcomes in this regard the conclusion on international cooperation and burden- and responsibility-sharing in mass influx situations adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its fifty-fifth session;[184]

17. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

18. *Notes with satisfaction* the voluntary return of thousands of refugees to their countries of origin, and welcomes in this regard the conclusion on legal safety issues in the context of voluntary repatriation of refugees adopted by the Executive

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[184] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 12A* (A/59/12/Add.1), chap. III, sect. B.

Committee of the Programme of the United Nations High Commissioner for Refugees at its fifty-fifth session;[185]

19. *Reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, and recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity;

20. *Welcomes* the development by the High Commissioner, in cooperation with other United Nations agencies and development actors, of the framework for durable solutions, aimed at promoting lasting solutions, particularly in protracted refugee situations, including the "4Rs" approach (repatriation, reintegration, rehabilitation and reconstruction) to sustainable return;

21. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden- and responsibility-sharing, to the third-country resettlement needs of African refugees, and in this regard notes with interest the development of the Multilateral Framework of Understandings on the strategic use of resettlement in the context of the High Commissioner's Convention Plus initiative;[186]

22. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

23. *Also calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

24. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

25. *Expresses grave concern* about the plight of internally displaced persons in Africa, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,[187] and urges the international community, led by relevant United Nations organizations, to contribute generously to national projects and programmes aimed at alleviating the plight of internally displaced persons;

26. *Invites* the Representative of the Secretary-General on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly;

27. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its sixtieth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", and to present an oral report to the Economic and Social Council at its substantive session of 2005.

RESOLUTION 59/173

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/499, para. 35),[188] by a recorded vote of 117 to 5, with 62 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chad, Chile, China, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of

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[185] Ibid., sect. C.

[186] Ibid., *Supplement No. 12* (A/59/12), chap. III, para. 23.

[187] E/CN.4/1998/53/Add.2, annex.

[188] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Barbados, Belize, Brunei Darussalam, Burkina Faso, China, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Mali, Mauritania, Morocco, Namibia, Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe and Palestine.

Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Netherlands, New Zealand, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu

59/173. The situation of and assistance to Palestinian children

The General Assembly,

Recalling the Convention on the Rights of the Child,[189]

Bearing in mind the conclusion by the International Court of Justice, in its advisory opinion of 9 July 2004,[190] that the Convention on the Rights of the Child is applicable within the Occupied Palestinian Territory,

Recalling the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[191]

Recalling also the Declaration and Plan of Action adopted by the General Assembly at its twenty-seventh special session,[192]

Recalling further the relevant provisions of the International Covenant on Economic, Social and Cultural Rights,[193]

Noting with grave concern that the Palestinian children under Israeli occupation remain deprived of many basic rights under the Convention on the Rights of the Child,

Concerned about the continued grave deterioration of the situation of Palestinian children in the Occupied Palestinian Territory, including East Jerusalem, the severely detrimental impact of the continuing Israeli assaults and sieges on Palestinian cities, towns, villages and refugee camps, and the continuing dire humanitarian crisis on the safety and well-being of Palestinian children,

Concerned also about the severely detrimental impact being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, on the socio-economic conditions of Palestinian children and their families and on the enjoyment by Palestinian children of their right to education, to an adequate standard of living, including adequate food, clothing and housing, to health and to be free from hunger, in accordance with the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights,

Emphasizing the importance of the safety and well-being of all children in the whole Middle East region,

Expressing its condemnation of all acts of violence, resulting in extensive loss of human life and injuries, including among Palestinian children,

Deeply concerned about the negative consequences, including psychological consequences, of the Israeli military actions for the present and future well-being of Palestinian children,

1. *Stresses* the urgent need for Palestinian children to live a normal life free from foreign occupation, destruction and fear in their own State;

2. *Demands*, in the meanwhile, that Israel, the occupying Power, respect relevant provisions of the Convention on the Rights of the Child[189] and comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[194] in order to ensure the well-being and protection of Palestinian children and their families;

3. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian crisis being faced by Palestinian children and their families and to help in the reconstruction of relevant Palestinian institutions.

RESOLUTION 59/174

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/500, para. 14)[195]

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[189] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[190] See A/ES-10/273 and Corr.1.

[191] A/45/625, annex.

[192] See resolution S-27/2, annex.

[193] See resolution 2200 A (XXI), annex.

[194] United Nations, *Treaty Series*, vol. 75, No. 973.

[195] The draft resolution recommended in the report was sponsored in the Committee by: Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Belize, Bolivia, Brazil, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Democratic Republic of the Congo, Dominica, Dominican Republic, Ecuador, El Salvador, Fiji, France, Germany, Greece, Grenada, Guatemala, Guyana, Honduras, Iran (Islamic Republic of), Italy, Jamaica, Mexico, Nigeria, Paraguay, Peru, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Uruguay and Venezuela (Bolivarian Republic of).

59/174. Second International Decade of the World's Indigenous People

The General Assembly,

Bearing in mind that, in the Vienna Declaration and Programme of Action,[196] the 1993 World Conference on Human Rights recognized the inherent dignity and the unique contribution of indigenous people to the development and plurality of society and strongly reaffirmed the commitment of the international community to their economic, social and cultural well-being and their enjoyment of the fruits of sustainable development,

Reaffirming that States should, in accordance with international law, take concerted positive steps to ensure respect for all human rights and fundamental freedoms of indigenous people, on the basis of equality and non-discrimination, and recognizing the value and diversity of their distinctive identities, cultures and social organization,

Recalling its resolution 48/163 of 21 December 1993, in which it proclaimed the International Decade of the World's Indigenous People, commencing on 10 December 1994, with the goal of strengthening international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health,

Recalling also its resolution 58/158 of 22 December 2003 and all previous resolutions on the International Decade of the World's Indigenous People,

Welcoming all achievements during the Decade, in particular the establishment of the Permanent Forum on Indigenous Issues, and the contributions to the realization of the goals of the Decade made by the Permanent Forum, the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights and the Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people, such as the comprehensive work programme that the Permanent Forum is carrying out for the benefit of indigenous peoples in the areas of culture, education, environment, health, human rights and social and economic development,

Taking due note of Commission on Human Rights resolution 2004/62 of 21 April 2004,[197] in which the Commission expressed its deep concern about the precarious economic and social situation that indigenous people continue to endure in many parts of the world in comparison to the overall population and the persistence of grave violations of their human rights, and reaffirmed the urgent need to recognize, promote and protect more effectively their rights and freedoms,

Recalling that in its resolution 49/214 of 23 December 1994 it expressly put on record its expectation of achieving the adoption of a declaration on indigenous rights within the International Decade and that in its resolution 50/157 of 21 December 1995 it decided that the adoption by the General Assembly of a declaration on the rights of indigenous people constituted a major objective of the Decade, and noting the progress made in the recent rounds of negotiations in the open-ended intersessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people, established pursuant to Commission resolution 1995/32 of 3 March 1995,[198]

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the Decade and the need for adequate financial support from the international community,

1. *Proclaims* the Second International Decade of the World's Indigenous People, commencing on 1 January 2005;

2. *Decides* that the goal of the Second Decade shall be the further strengthening of international cooperation for the solution of problems faced by indigenous people in such areas as culture, education, health, human rights, the environment and social and economic development, by means of action-oriented programmes and specific projects, increased technical assistance and relevant standard-setting activities;

3. *Requests* the Secretary-General to appoint the Under-Secretary-General for Economic and Social Affairs as the Coordinator for the Second Decade;

4. *Requests* the Coordinator to fulfil the mandate in full cooperation and consultation with Governments, the Permanent Forum on Indigenous Issues and other relevant bodies and mechanisms of the United Nations system, the Office of the United Nations High Commissioner for Human Rights, other members of the Inter-Agency Support Group on Indigenous Issues and indigenous and non-governmental organizations;

5. *Invites* Governments to ensure that activities and objectives for the Second Decade are planned and implemented on the basis of full consultation and collaboration with indigenous people;

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[196] A/CONF.157/24 (Part I), chap. III.

[197] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[198] Ibid., *1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

6. *Appeals* to the specialized agencies, regional commissions, financial and development institutions and other relevant organizations of the United Nations system to increase their efforts to take special account of the needs of indigenous people in their budgeting and in their programming;

7. *Requests* the Secretary-General to establish a voluntary fund for the Second Decade, which to all juridical purposes and effects should be set up and should discharge its functions as a successor to the already existing voluntary fund established for the present Decade pursuant to General Assembly resolutions 48/163, 49/214 and 50/157;

8. *Authorizes* the Secretary-General to accept and administer voluntary contributions from Governments, intergovernmental and non-governmental organizations, indigenous organizations and private institutions and individuals for the purpose of funding projects and programmes during the Second Decade;

9. *Urges* Governments, intergovernmental and non-governmental organizations to contribute to the voluntary fund for the Second Decade established by the Secretary-General, and invites indigenous organizations and private institutions and individuals to do likewise;

10. *Urges* the competent United Nations organs, programmes and specialized agencies, in planning activities for the Second Decade, to examine how existing programmes and resources might be utilized to benefit indigenous people more effectively, including through the exploration of ways in which indigenous perspectives and activities can be included or enhanced;

11. *Decides* to continue observing in New York, Geneva and other offices of the United Nations every year during the Second Decade the International Day of Indigenous People, to request the Secretary-General to support the observance of the Day from within existing resources, and to encourage Governments to observe the Day at the national level;

12. *Urges* all parties involved in the process of negotiation to do their utmost to carry out successfully the mandate of the open-ended intersessional working group established by the Commission on Human Rights in its resolution 1995/32[198] and to present for adoption as soon as possible a final draft United Nations declaration on the rights of indigenous peoples;

13. *Requests* the Secretary-General to give all the assistance necessary to ensure the success of the Second Decade;

14. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixtieth session on a comprehensive programme of action for the Second Decade based on the achievements of the first Decade;

15. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "Indigenous issues".

RESOLUTION 59/175

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/501, para. 23)[199]

59/175. Measures to be taken against political platforms and activities based on doctrines of superiority and violent nationalist ideologies which are based on racial discrimination or ethnic exclusiveness and xenophobia, including neo-Nazism

The General Assembly,

Recalling that the United Nations emerged from the struggle against Nazism, fascism, aggression and foreign occupation, and that the people expressed their resolve in the Charter of the United Nations to save succeeding generations from the scourge of war,

Aware of the determination proclaimed by the peoples of the world in the Charter to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Convinced that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere,

Recognizing the fact that the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, condemned political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination, as well as legislation and practices based on racism, racial discrimination, xenophobia and related intolerance, as incompatible with democracy and transparent and accountable governance,[200]

Reaffirming in this regard that everyone has the right to freedom of opinion and expression as well as the right to freedom of peaceful assembly and association,

Underlining the key role that politicians and political parties can and ought to play in combating racism, racial discrimination, xenophobia and related intolerance,

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[199] The draft resolution recommended in the report was sponsored in the Committee by: Azerbaijan, Belarus, Cuba, Kazakhstan, Kyrgyzstan, Russian Federation and Tajikistan.

[200] See A/CONF.189/12 and Corr.1, chap. I.

Noting with regret that, in the contemporary world, there continue to exist various manifestations of neo-Nazi activities, as well as other political platforms and activities based on doctrines of superiority and violent nationalist ideologies which are based on racial discrimination or ethnic exclusiveness and xenophobia, which entail contempt for the individual or a denial of the intrinsic dignity and equality of all human beings and of equality of opportunity in the civil, political, economic and social and cultural spheres and in social justice,

Deeply alarmed at the persistence and resurgence of these phenomena, and stating that they can never be justified in any instance or under any circumstances,

Noting with concern the widening misuse by such groups and organizations of the opportunities provided by scientific and technological progress, including the Internet, to promote racist and xenophobic propaganda aimed at inciting racial hatred and to collect funds to sustain violent campaigns against multi-ethnic societies throughout the world,

Noting that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

Expressing serious concern at the persistence in many parts of the world of doctrines of superiority and violent nationalist ideologies which are based on racial discrimination or ethnic exclusiveness and xenophobia,

Particularly alarmed at the persistence of such ideas in political circles, in the sphere of public opinion and in society at large,

Recognizing the important role that relevant regional bodies, including regional associations of national human rights institutions, can play in combating racism, racial discrimination, xenophobia and related intolerance, and the key role that they can play in monitoring and raising awareness about intolerance and discrimination at the regional level, reaffirming support for such bodies where they exist, and encouraging their establishment,

Recalling its previous resolutions, in particular resolutions 55/82 of 4 December 2000 and 56/268 of 27 March 2002,

Taking into consideration the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to the Commission on Human Rights[201] and, in particular, his study on the question of political platforms which promote or incite racial discrimination,[202]

1. *Remains convinced* that political platforms and activities based on doctrines of superiority and violent nationalist ideologies which are based on racial discrimination or ethnic exclusiveness and xenophobia, including neo-Nazism, must be condemned as incompatible with democracy and accountable governance;

2. *Expresses its determination* to resist such political platforms and activities which can undermine the enjoyment of human rights and fundamental freedoms and of equality of opportunity;

3. *Urges* States to take all available measures in accordance with their obligations under international human rights instruments to combat political platforms and activities based on doctrines of superiority and violent nationalist ideologies which are based on racial discrimination or ethnic exclusiveness and xenophobia, inter alia, through the dissemination of human rights principles at all levels of society through education, as well as by other means;

4. *Takes note* of the recommendations of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, including on the need for States to exercise greater control over racist and xenophobic statements, especially when they are expressed by representatives of political parties or other ideological movements,[202] and emphasizes in this regard that measures taken to combat racism must be in accordance with the commitments they have undertaken under the Durban Declaration and Programme of Action[200] and with international standards of freedom of expression;

5. *Calls upon* States to undertake and facilitate activities aimed at educating young people in human rights and democratic citizenship and instilling values of solidarity, respect and appreciation of diversity, including respect for different groups, and affirms that a special effort to inform and sensitize young people with regard to democratic values and human rights should be undertaken or developed to fight against ideologies based on the fallacious theory of racial superiority;

6. *Urges* all States to consider the adoption, as a matter of high priority, of appropriate measures, consistent with their national legal systems and in accordance with the provisions of the Universal Declaration of Human Rights,[203] the International Covenants on Human Rights[204] and the International Convention on the Elimination of All Forms of Racial Discrimination,[205] to eradicate activities that lead to violence based on racial discrimination or ethnic exclusiveness and xenophobia, including neo-Nazism, and to condemn all propaganda and all organizations which are based on ideas and theories of superiority;

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[201] See A/59/329.

[202] See A/59/330.

[203] Resolution 217 A (III).

[204] Resolution 2200 A (XXI), annex.

[205] Resolution 2106 A (XX), annex.

7. *Expresses support* for the activities of the Special Rapporteur, and calls upon all States to cooperate with him in all aspects with a view to enabling him to fulfil his mandate;

8. *Requests* the Secretary-General to bring the present resolution to the attention of the Member States and relevant human rights bodies and mechanisms of the United Nations system.

RESOLUTION 59/176

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/501, para. 23)[206]

59/176. International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its previous resolutions on the International Convention on the Elimination of All Forms of Racial Discrimination,[207] most recently resolution 57/194 of 18 December 2002,

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[208] in particular section II.B of the Declaration, relating to equality, dignity and tolerance,

Reiterating the need to intensify the struggle to eliminate all forms of racism, racial discrimination, xenophobia and related intolerance throughout the world,

Reiterating also the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Reaffirming that universal adherence to and full implementation of the Convention are of paramount importance for promoting equality and non-discrimination in the world, as stated in the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[209]

Mindful of the importance of the contributions of the Committee on the Elimination of Racial Discrimination to the effective implementation of the Convention and to the efforts of the United Nations to combat racism, racial discrimination, xenophobia and related intolerance,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination, to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations,[210] and reiterating its deep concern that the amendment to the Convention has not yet entered into force,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

I

Reports of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the reports of the Committee on the Elimination of Racial Discrimination on its sixty-second and sixty-third[211] and its sixty-fourth and sixty-fifth[212] sessions;

2. *Commends* the Committee for its contributions to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[207] especially through the examination of reports under article 9 of the Convention, action on communications under article 14 of the Convention and thematic discussions, which contribute to the prevention and elimination of racism, racial discrimination, xenophobia and related intolerance;

3. *Calls upon* States parties to fulfil their obligation, under article 9, paragraph 1, of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

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[206] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, China, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Namibia, Netherlands, New Zealand, Norway, Pakistan, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of).

[207] Resolution 2106 A (XX), annex.

[208] A/CONF.157/24 (Part I), chap. III.

[209] See A/CONF.189/12 and Corr.1, chap. I.

[210] See CERD/SP/45, annex.

[211] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 18* (A/58/18).

[212] Ibid., *Fifty-ninth Session, Supplement No. 18* (A/59/18).

4. *Expresses its concern* at the fact that a great number of reports are overdue and continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention;

5. *Encourages* States parties to the Convention whose reports are seriously overdue to avail themselves of the advisory services and technical assistance that the Office of the United Nations High Commissioner for Human Rights can provide, upon their request, for the preparation of the reports;

6. *Encourages* the Committee to continue to cooperate and exchange information with United Nations bodies and mechanisms, in particular with the Subcommission on the Promotion and Protection of Human Rights and the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and with intergovernmental organizations, as well as with non-governmental organizations;

7. *Encourages* States parties to continue to include a gender perspective in their reports to the Committee, and invites the Committee to take into account a gender perspective in the implementation of its mandate;

8. *Notes with appreciation* the engagement of the Committee in the follow-up to the Durban Declaration and Programme of Action;[209]

9. *Expresses its appreciation* for the efforts made so far by the Committee to improve the efficiency of its working methods, and encourages the Committee to continue its activities in this regard;

10. *Encourages* the continued participation of members of the Committee in the annual inter-committee meetings and meetings of chairpersons of the human rights treaty bodies, especially with a view to a more coordinated approach to the activities of the treaty body system and standardized reporting;

II

Financial situation of the Committee on the Elimination of Racial Discrimination

11. *Takes note* of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;[213]

12. *Expresses its profound concern* at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under article 8, paragraph 6, of the Convention;

13. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992,[210] endorsed by the General Assembly in its resolution 47/111 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

14. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and to provide the necessary support, including an adequate level of Secretariat assistance, in order to ensure the functioning of the Committee and to enable it to cope with its increasing amount of work;

15. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its sixty-first session;

III

Status of the International Convention on the Elimination of All Forms of Racial Discrimination

16. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[214]

17. *Expresses its satisfaction* at the number of States that have ratified or acceded to the Convention, which now stands at one hundred and seventy;

18. *Urges* States parties to comply fully with their obligations under the Convention and to take into consideration the concluding observations and general recommendations of the Committee;

19. *Reaffirms its conviction* that ratification of or accession to the Convention on a universal basis and the implementation of its provisions are necessary for the effectiveness of the fight against racism, racial discrimination, xenophobia and related intolerance and for the implementation of the commitments undertaken under the Durban Declaration and Programme of Action;

20. *Urges* all States that have not yet become parties to the Convention to ratify or accede to it as a matter of urgency, with a view to achieving universal ratification by 2005;

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[213] A/59/276.

[214] A/59/275.

21. *Urges* States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible in order to ensure that no reservation is incompatible with the object and purpose of the Convention, to review their reservations on a regular basis with a view to withdrawing them, and to withdraw reservations that are contrary to the object and purpose of the Convention;

22. *Notes* that the number of States parties to the Convention that have made the declaration provided for in article 14 of the Convention now stands at forty-five, and requests the States parties that have not yet done so to consider making that declaration;

23. *Decides* to consider, at its sixty-first session, under the item entitled "Elimination of racism and racial discrimination", the reports of the Committee on the Elimination of Racial Discrimination on its sixty-sixth and sixty-seventh and its sixty-eighth and sixty-ninth sessions, the report of the Secretary-General on the financial situation of the Committee and the report of the Secretary-General on the status of the Convention.

RESOLUTION 59/177

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/501, para. 23),[215] by a recorded vote of 183 to 3, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Palau, United States of America

Abstaining: Australia, Canada

59/177. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling its resolution 58/160 of 22 December 2003, in which it decided to place emphasis on the concrete implementation of the Durban Declaration and Programme of Action, adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001,[216] as a solid foundation for a broad-based consensus for further actions and initiatives towards the total elimination of the scourge of racism,

Recalling also its resolution 57/195 of 18 December 2002, in which it outlined the important roles and responsibilities of the various organs of the United Nations and other stakeholders at the international, regional and national levels, including, in particular, the Commission on Human Rights,

Recalling further its resolution 56/266 of 27 March 2002, in which it endorsed the Durban Declaration and Programme of Action as constituting a solid foundation for further action and initiatives towards the total elimination of the scourge of racism,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Convinced that racism, racial discrimination, xenophobia and related intolerance manifest themselves in a differentiated manner for women and girls and may be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and the limitation or denial of their human rights, and recognizing the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination,

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[215] The draft resolution recommended in the report was sponsored in the Committee by Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

[216] See A/CONF.189/12 and Corr.1, chap. I.

Taking note of Commission on Human Rights resolutions 2002/68 of 25 April 2002,[217] 2003/30 of 23 April 2003[218] and 2004/88 of 22 April 2004,[219] by which the international community put into effect mechanisms for the effective implementation of the Durban Declaration and Programme of Action,

Reaffirming its commitment to a global drive for the total elimination of racism, racial discrimination, xenophobia and related intolerance,

Reaffirming that universal adherence to and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination[220] are of paramount importance for the promotion of equality and non-discrimination in the world,

Underlining the primacy of political will, international cooperation and adequate funding at the national, regional and international levels for the successful implementation of the Durban Programme of Action,

Alarmed at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, inter alia, as a result of the resurgent activities of associations established on the basis of racist and xenophobic platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Underlining the importance of urgently eliminating continuing and violent trends involving racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy, tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

Welcoming all the regional initiatives being undertaken to implement the Durban commitments and, in this context, expressing its appreciation to the Governments of Mexico, Kenya, the Czech Republic and Belgium for hosting the regional expert seminars with a view to the implementation of the Durban Declaration and Programme of Action within their respective regions, and encouraging the remaining region to take the necessary action in this regard,

Welcoming also the determination of the United Nations High Commissioner for Human Rights to profile and increase the visibility of the struggle against racism, racial discrimination, xenophobia and related intolerance and her intention to make this a cross-cutting issue in the activities and programmes of her Office,

I

Basic general principles

1. *Acknowledges* that no derogation from the prohibition of racial discrimination, genocide, the crime of apartheid or slavery is permitted, as defined in the obligations under the relevant human rights instruments;

2. *Expresses its profound concern about and its unequivocal condemnation* of all forms of racism and racial discrimination, including related acts of racially motivated violence, xenophobia and intolerance, as well as propaganda activities and organizations that attempt to justify or promote racism, racial discrimination, xenophobia and related intolerance in any form;

3. *Stresses* that States and international organizations have a responsibility to ensure that measures taken in the struggle against terrorism do not discriminate in purpose or effect on grounds of race, colour, descent or national or ethnic origin, and urges all States to rescind or refrain from all forms of racial profiling;

4. *Recognizes* that States should implement and enforce appropriate and effective legislative, judicial, regulatory and administrative measures to prevent and protect against acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations;

5. *Emphasizes* that it is the responsibility of States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, including measures to ensure that such motivations are considered an aggravating factor for the purposes of sentencing, to prevent those crimes from going unpunished and to ensure the rule of law;

6. *Urges* all States to review and, where necessary, revise their immigration laws, policies and practices so that they are free of racial discrimination and compatible with their obligations under international human rights instruments;

7. *Condemns* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred, and calls upon States to take all necessary measures to

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[217] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

[218] Ibid., *2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[219] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[220] Resolution 2106 A (XX), annex.

combat this form of racism in accordance with the commitments that they have undertaken under the Durban Declaration and Programme of Action,[216] in particular paragraph 147 of the Programme of Action, in accordance with existing international and regional standards of freedom of expression and taking all necessary measures to guarantee the right to freedom of opinion and expression;

8. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for foreign cultures, peoples and countries;

9. *Stresses* the responsibility of States to mainstream a gender perspective in the design and development of prevention, education and protection measures aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels, to ensure that they effectively target the distinct situations of women and men;

II

International Convention on the Elimination of All Forms of Racial Discrimination

10. *Reiterates* the call made by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in paragraph 75 of the Durban Programme of Action[216] to achieve universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination[220] by 2005 and for all States to consider making the declaration envisaged under article 14 of the Convention, and endorses the concern expressed by the Commission on Human Rights in its resolution 2004/88[219] to the effect that, at the current pace, with one hundred and seventy ratifications and only forty-five declarations, the deadline of 2005 for universal ratification decided by the World Conference will, regrettably, not be realized;

11. *Urges*, in that context, the Office of the United Nations High Commissioner for Human Rights to maintain and issue regular updates on its web site of a list of countries that have not yet ratified the Convention, and to encourage such countries to demonstrate their practical commitment to meet the deadline for universal ratification as decided upon by the World Conference;

12. *Invites* States parties to the Convention to ratify the amendment to article 8 of the Convention, on the financing of the Committee on the Elimination of Racial Discrimination, and calls for adequate additional resources from the regular budget of the United Nations to enable the Committee to discharge its mandate fully;

13. *Urges* all States parties to the Convention to intensify their efforts to implement the obligations that they have accepted under article 4 of the Convention, with due regard to the principles of the Universal Declaration of Human Rights[221] and article 5 of the Convention;

14. *Notes* that the Committee holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights and in article 5 of the Convention;

15. *Welcomes* the emphasis placed by the Committee on the importance of follow-up to the World Conference and the measures recommended to strengthen the implementation of the Convention as well as the functioning of the Committee;[222]

III

Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

16. *Emphasizes* that the basic responsibility for effectively combating racism, racial discrimination, xenophobia and related intolerance lies with States, and to this end stresses that States have the primary responsibility to ensure full and effective implementation of all commitments and recommendations contained in the Durban Declaration and Programme of Action;[216]

17. *Also emphasizes*, in that context, the fundamental and complementary role of national human rights institutions, regional bodies or centres and civil society, working jointly with States towards the achievement of the objectives of the Durban Declaration and Programme of Action;

18. *Calls upon* States to elaborate action plans, in consultation with national human rights institutions, other institutions created by law to combat racism, and civil society, and to provide the United Nations High Commissioner for Human Rights with such action plans and other relevant materials on measures taken to implement the provisions of the Durban Declaration and Programme of Action;

19. *Calls upon* all States to formulate and implement without delay, at the national, regional and international levels, policies and plans of action to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;

20. *Urges* States to support the activities of existing regional bodies or centres that combat racism, racial

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[221] Resolution 217 A (III).

[222] See *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 18* (A/57/18), chap. XI.

discrimination, xenophobia and related intolerance in their respective regions, and recommends the establishment of such bodies or centres in all regions where they do not exist;

21. *Recognizes* the fundamental role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular in assisting States to develop regulations and strategies, in taking measures and action against such forms of discrimination and through follow-up implementation;

22. *Emphasizes* that, in accordance with the Durban Declaration and Programme of Action, States have a shared responsibility, at the international level and within the framework of the United Nations system, to determine modalities for the overall review of the implementation of the Declaration and Programme of Action;

23. *Decides* that the General Assembly, through its role in policy formulation, the Economic and Social Council, through its role in overall guidance and coordination, in accordance with their respective roles under the Charter of the United Nations and Assembly resolution 50/227 of 24 May 1996, and the Commission on Human Rights shall constitute a three-tiered intergovernmental process for the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action;

24. *Stresses and reaffirms* its role as the highest intergovernmental mechanism for the formulation and appraisal of policy on matters related to the economic, social and related fields, in accordance with Chapter IX of the Charter, including in the comprehensive implementation of and follow-up to the goals and targets set at all the major United Nations conferences, summits and special sessions;

25. *Acknowledges* that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance is on an equal footing with the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields;

26. *Decides* that the Economic and Social Council shall oversee system-wide coordination of the implementation of the Durban Declaration and Programme of Action;

27. *Also decides* that the Commission on Human Rights, as a functional commission of the Economic and Social Council, shall have a central role in the monitoring of the implementation of the Durban Declaration and Programme of Action within the United Nations system and in advising the Council thereon;

28. *Expresses its appreciation* for the continuing work of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and the Working Group of Experts on People of African Descent, and looks forward to the consideration of the outcomes of their third sessions by the Commission on Human Rights at its sixty-first session;

29. *Acknowledges* that the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, which was the third world conference against racism, was significantly different from the previous two conferences, as evidenced by the inclusion in its title of two important components relating to contemporary forms of racism, namely, xenophobia and related intolerance;

30. *Welcomes* the work of the Committee on the Elimination of Racial Discrimination in applying the International Convention on the Elimination of All Forms of Racial Discrimination[220] to the new and contemporary forms of racism and racial discrimination;

31. *Underlines* the importance of the elaboration of complementary standards with a view to strengthening and updating international instruments against racism, racial discrimination, xenophobia and related intolerance, taking into account issues discussed during the previous sessions of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, as well as issues identified by the high-level seminar to be convened during the next session of the Intergovernmental Working Group;

32. *Underlines also* the importance of considering progress made in the implementation of the provisions of the Durban Declaration and Programme of Action related to the media and racism, including the use of the Internet, with the participation of all stakeholders, inter alia, States, the World Summit on the Information Society, international and regional organizations, non-governmental organizations, the private sector and the media;

33. *Takes note* of the recommendation of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, in that context, to request the Office of the United Nations High Commissioner for Human Rights to convene a high-level seminar, the format of which should be agreed among Member States, assisted by the Office of the High Commissioner, and which could include, but would not necessarily be limited to, a core group of ministers responsible for human rights and/or equivalent participants from all regions as panellists;[223]

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[223] See E/CN.4/2005/20, sect. VI, para. 73.

34. *Strongly recommends* that no intersessional meetings of the working groups of the Commission on Human Rights in follow-up to the World Conference and the implementation of the Durban Declaration and Programme of Action be scheduled in a manner that clashes or overlaps with the sessions of the General Assembly, and in this regard calls upon the Commission to address this issue and to ensure that the future sessions of the Working Group of Experts on People of African Descent are scheduled to precede those of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action;

35. *Requests* the Secretary-General to reflect the outcome of the high-level seminar in his report to the General Assembly at its sixty-first session on the follow-up to the World Conference;

36. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the central role to be played by the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action in mobilizing the necessary political will required for the successful implementation of the Declaration and Programme of Action;

37. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action;

38. *Condemns* the resurgence of xenophobia, and underlines the fact that, while anchoring human rights in legal instruments is a fundamental way of expressing their universality, it is no longer capable of eliminating the underlying causes of discriminatory culture and mentalities, and that action on human rights must henceforth include discussion of the deep cultural roots of racism;

39. *Expresses its concern* at the increasing incidence of racism in various sporting events, while noting with appreciation the efforts made by some sporting governing bodies to combat racism;

40. *Invites* Member States to adopt measures to counter the dissemination of discriminatory, racist and xenophobic messages on the Internet, in accordance with paragraphs 144 to 147 of the Durban Programme of Action, and to promote a positive use of the Internet to foster social harmony and to combat racism;

41. *Requests* the Office of the United Nations High Commissioner for Human Rights to convene the second meeting of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action before the sixty-first session of the Commission on Human Rights to produce a concrete programme of action related to their mandate, based on the core values of racial equality and dignity as elaborated in the outcome document of their first meeting, held in Geneva from 16 to 18 September 2003;[224]

IV

Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and follow-up to his visits

42. *Expresses its full support and appreciation* for the work of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and encourages its continuation;

43. *Reiterates its call* to all Member States, intergovernmental organizations, relevant organizations of the United Nations system and non-governmental organizations to cooperate fully with the Special Rapporteur;

44. *Requests* the Special Rapporteur to continue his exchange of views with Member States and relevant mechanisms and treaty bodies within the United Nations system in order to enhance further their effectiveness and mutual cooperation;

45. *Recognizes with deep concern* the increase in anti-Semitism, Christianophobia and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas directed against Arab, Christian, Jewish and Muslim communities, communities of people of African descent, communities of people of Asian descent and other communities;

46. *Requests* the Special Rapporteur to collect information from all concerned, to respond effectively to reliable information that becomes available to him, to follow up on communications and country visits and to seek the views and comments of Governments and reflect them, as appropriate, in his reports;

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[224] See E/CN.4/2004/112.

47. *Calls upon* States to cooperate with the Special Rapporteur and to give serious consideration to his requests to visit their countries so as to enable him to fulfil his mandate fully and effectively;

48. *Encourages* closer collaboration between the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights, in particular the Anti-Discrimination Unit;

49. *Urges* the United Nations High Commissioner for Human Rights to provide States, at their request, with advisory services and technical assistance to enable them to implement fully the recommendations of the Special Rapporteur;

50. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its sixtieth session;

51. *Takes note* of the recommendations contained in the interim report of the Special Rapporteur,[225] and encourages the continuation of his work;

52. *Urges* Member States to consider implementing the recommendations contained in the reports of the Special Rapporteur, and invites other relevant stakeholders to implement those recommendations;

V

General

53. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixtieth session;

54. *Decides* to remain seized of this important matter at its sixtieth session under the item entitled "Elimination of racism and racial discrimination".

RESOLUTION 59/178

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/502, para. 20),[226] by a recorded vote of 129 to 46, with 13 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, Norway, Palau, Poland, Portugal, Republic of Moldova, Romania, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Kazakhstan, Liechtenstein, Malawi, Nauru, New Zealand, Republic of Korea, San Marino, Switzerland, Tonga, Ukraine, Uzbekistan, Vanuatu

59/178. Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

The General Assembly,

Recalling its resolution 58/162 of 22 December 2003, and taking note of Commission on Human Rights resolution 2004/5 of 8 April 2004,[227]

Recalling also all of its relevant resolutions, in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling further the relevant resolutions and international instruments adopted by the General Assembly, the Security Council, the Economic and Social Council and the Organization of African Unity, inter alia, the Organization of

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[225] See A/59/329.

[226] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Benin, Botswana, Burundi, Cambodia, China, Comoros, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gambia, Guinea-Bissau, India, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Myanmar, Namibia, Nigeria, Pakistan, Peru, Russian Federation, Sierra Leone, Somalia, Sudan, Swaziland, Syrian Arab Republic, Togo, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

[227] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

African Unity Convention for the elimination of mercenarism in Africa,[228] as well as the African Union,[229]

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the self-determination of peoples, the non-use of force or of the threat of use of force in international relations and non-interference in affairs within the domestic jurisdiction of States,

Reaffirming also that, by virtue of the principle of self-determination, all peoples have the right freely to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect this right in accordance with the provisions of the Charter,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[230]

Alarmed and concerned at the danger that the activities of mercenaries constitute to peace and security in developing countries, in particular in Africa and in small States,

Deeply concerned at the loss of life, the substantial damage to property and the negative effects on the policy and economies of affected countries resulting from criminal mercenary activities,

Extremely alarmed and concerned about recent mercenary activities in Africa and the threat they pose to the integrity of and respect for the constitutional order of those countries,

Convinced that, notwithstanding the way in which they are used or the form that they take to acquire some semblance of legitimacy, mercenaries or mercenary-related activities are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

1. *Takes note* of the brief report prepared by the Office of the United Nations High Commissioner for Human Rights on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;[231]

2. *Welcomes* the appointment of Shaista Shameem as Special Rapporteur of the Commission on Human Rights on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination, and encourages her to continue and further advance the valuable work done and the important contributions made by Enrique Bernales Ballesteros in the sixteen years of his mandate;

3. *Reaffirms* that the use of mercenaries and their recruitment, financing and training are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

4. *Recognizes* that armed conflict, terrorism, arms trafficking and covert operations by third Powers, inter alia, encourage the demand for mercenaries on the global market;

5. *Urges* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to impede the right of peoples to self-determination, to destabilize or overthrow the Government of any State or to dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the right of peoples to self-determination;

6. *Requests* all States to exercise the utmost vigilance against any kind of recruitment, training, hiring or financing of mercenaries by private companies offering international military consultancy and security services, as well as to impose a specific ban on such companies intervening in armed conflicts or actions to destabilize constitutional regimes;

7. *Welcomes* the entry into force of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries,[232] and calls upon all States that have not yet done so to consider taking the necessary action to accede to or ratify the Convention;

8. *Welcomes also* the cooperation extended by those countries that have received visits from the Special Rapporteur and the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

9. *Condemns* recent mercenary activities in Africa, and commends the African Governments on their collaboration in thwarting those illegal actions, which posed a threat to the integrity of and respect for the constitutional order of those countries and the exercise of the right of their peoples to self-determination;

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[228] United Nations, *Treaty Series*, vol. 1490, No. 25573.

[229] On 8 July 2002, the Organization of African Unity ceased to exist and, in its place, the African Union came into force on 9 July 2002.

[230] Resolution 2625 (XXV), annex.

[231] See A/59/191.

[232] United Nations, *Treaty Series*, vol. 2163, No. 37789.

10. *Calls upon* States to investigate the possibility of mercenary involvement whenever and wherever criminal acts of a terrorist nature occur and to bring to trial those found responsible or to consider their extradition, if so requested, in accordance with domestic law and applicable bilateral or international treaties;

11. *Condemns* any form of impunity granted to perpetrators of mercenary activities and to those responsible for the use, recruitment, financing and training of mercenaries, and urges all States, in accordance with their obligations under international law, to bring them, without distinction, to justice;

12. *Requests* the new Special Rapporteur to circulate to States and consult with them on the new proposal for a legal definition of a mercenary drafted by the former Special Rapporteur[233] and to report her findings to the Commission on Human Rights and the General Assembly;

13. *Requests* the Office of the High Commissioner, as a matter of priority, to publicize the adverse effects of the activities of mercenaries on the right of peoples to self-determination and, when requested and where necessary, to render advisory services to States that are affected by those activities;

14. *Also requests* the Office of the High Commissioner to convene a third meeting of experts on traditional and new forms of mercenary activities as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, respecting the main objectives defined in paragraph 16 of Commission on Human Rights resolution 2004/5;[227]

15. *Requests* the Special Rapporteur to continue to take into account, in the discharge of her mandate, the fact that mercenary activities continue to occur in many parts of the world and are taking on new forms, manifestations and modalities, and, in this regard, requests her to pay particular attention to the impact of the activities of private companies offering military assistance, consultancy and security services on the international market on the exercise of the right of peoples to self-determination;

16. *Urges* all States to cooperate fully with the Special Rapporteur in the fulfilment of her mandate;

17. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the necessary assistance and support for the fulfilment of her mandate, both professional and financial, including through the promotion of cooperation between the Special Rapporteur and other components of the United Nations system that deal with countering mercenary-related activities;

18. *Requests* the Special Rapporteur to consult States and intergovernmental and non-governmental organizations in the implementation of the present resolution and to report, with specific recommendations, to the General Assembly at its sixtieth session her findings on the use of mercenaries to undermine the right of peoples to self-determination;

19. *Decides* to consider at its sixtieth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the item entitled "Right of peoples to self-determination".

RESOLUTION 59/179

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/502, para. 20),[234] by a recorded vote of 179 to 5, with 3 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles,

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[233] See E/CN.4/2004/15, para. 47.

[234] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Armenia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cape Verde, Central African Republic, China, Comoros, Congo, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Finland, France, Gambia, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Monaco, Morocco, Namibia, Netherlands, Niger, Nigeria, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Romania, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Swaziland, Sweden, Switzerland, Timor-Leste, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe and Palestine.

Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Australia, Papua New Guinea, Vanuatu

59/179. The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970 entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

Bearing in mind the International Covenants on Human Rights,[235] the Universal Declaration of Human Rights,[236] the Declaration on the Granting of Independence to Colonial Countries and Peoples[237] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[238]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[239]

Recalling also the United Nations Millennium Declaration,[240]

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[241] and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,[242]

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,[243]

Expressing the urgent need for the resumption of negotiations within the Middle East peace process on its agreed basis and for the speedy achievement of a final settlement between the Palestinian and Israeli sides,

Recalling its resolution 58/292 of 6 May 2004,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

RESOLUTION 59/180

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/502, para. 20)[244]

59/180. Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[245] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

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[235] Resolution 2200 A (XXI), annex.

[236] Resolution 217 A (III).

[237] Resolution 1514 (XV).

[238] A/CONF.157/24 (Part I), chap. III.

[239] See resolution 50/6.

[240] See resolution 55/2.

[241] See A/ES-10/273 and Corr.1.

[242] Ibid., advisory opinion, para. 88.

[243] Ibid., para. 122.

[244] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Benin, Brunei Darussalam, Burkina Faso, Cameroon, Egypt, Eritrea, Iran (Islamic Republic of), Jordan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Niger, Oman, Pakistan, Qatar, Saudi Arabia, Singapore, Somalia, Thailand and United Arab Emirates.

[245] Resolution 2200 A (XXI), annex.

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its sixtieth[246] and previous sessions,

Reaffirming its previous resolutions on the universal realization of the right of peoples to self-determination, including resolution 58/161 of 22 December 2003,

Reaffirming also its resolution 55/2 of 8 September 2000, containing the United Nations Millennium Declaration, which, inter alia, upholds the right to self-determination of peoples under colonial domination and foreign occupation,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,[247]

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. *Deplores* the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on the question to the General Assembly at its sixtieth session under the item entitled "Right of peoples to self-determination".

RESOLUTION 59/181

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.1, para. 20),[248] by a recorded vote of 128 to 52, with 4 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Brazil, Equatorial Guinea, Paraguay, Ukraine

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[246] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[247] A/59/376.

[248] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Azerbaijan, Bangladesh, Belarus, Benin, Botswana, Cameroon, China, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Egypt, El Salvador, Eritrea, Ethiopia, Guinea-Bissau, India, Indonesia, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Qatar, Russian Federation, Rwanda, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Togo, Tunisia, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

59/181. Equitable geographical distribution in the membership of the human rights treaty bodies

The General Assembly,

Recalling its resolution 56/146 of 19 December 2001,

Reaffirming the importance of the goal of universal ratification of the United Nations human rights instruments,

Welcoming the significant increase in the number of ratifications of United Nations human rights instruments, which has especially contributed to their universality,

Reiterating the importance of the effective functioning of treaty bodies established pursuant to United Nations human rights instruments for the full and effective implementation of those instruments,

Recalling that, with regard to the election of the members of the human rights treaty bodies, the Commission on Human Rights and the General Assembly have recognized the importance of giving consideration in their membership to equitable geographical distribution, gender balance and representation of the principal legal systems and of bearing in mind that the members shall be elected and shall serve in their personal capacity, and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights,

Reaffirming the significance of national and regional particularities and various historical, cultural and religious backgrounds, as well as of different political, economic and legal systems,

Recognizing that the United Nations pursues multilingualism as a means of promoting, protecting and preserving diversity of languages and cultures globally and that genuine multilingualism promotes unity in diversity and international understanding,

Recalling that the Commission on Human Rights and the General Assembly have encouraged States parties to United Nations human rights treaties, individually and through meetings of States parties, to consider how to give better effect, inter alia, to the principle of equitable geographical distribution in the membership of treaty bodies,

Expressing concern at the regional imbalance in the current composition of the membership of some of the human rights treaty bodies,

Noting in particular that the status quo tends to be particularly detrimental to the election of experts from some regional groups,

Convinced that the goal of equitable geographical distribution in the membership of human rights treaty bodies is perfectly compatible and can be fully realized and achieved in harmony with the need to ensure gender balance and the representation of the principal legal systems in those bodies and the high moral character, acknowledged impartiality and recognized competence in the field of human rights of their members,

1. *Encourages* the States parties to the United Nations human rights instruments to adopt concrete actions, inter alia, the possible establishment of quota distribution systems by geographical region for the election of the members of the treaty bodies, thereby ensuring the paramount objective of equitable geographical distribution in the membership of those human rights bodies;

2. *Calls upon* the States parties to the United Nations human rights instruments to include, as an agenda item at their forthcoming meetings, a debate on ways and means to ensure equitable geographical distribution in the membership of the human rights treaty bodies, based on the recommendations of the Commission on Human Rights and the Economic and Social Council and the provisions of the present resolution;

3. *Recommends*, when considering the possible establishment of a quota by region for the election of the membership of each treaty body, the introduction of flexible procedures that encompass the following criteria:

(*a*) Each of the five regional groups established by the General Assembly must be assigned a quota of the membership of each treaty body in equivalent proportion to the number of States parties to the instrument that it represents;

(*b*) There must be provision for periodic revisions that reflect the relative changes in the geographical distribution of States parties;

(*c*) Automatic periodic revisions should be envisaged in order to avoid amending the text of the instrument when the quotas are revised;

4. *Stresses* that the process needed to achieve the goal of equitable geographical distribution in the membership of human rights treaty bodies can contribute to raising awareness of the importance of gender balance, the representation of the principal legal systems and the principle that the members of the treaty bodies shall be elected and shall serve in their personal capacity, and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights;

5. *Requests* the chairpersons of the human rights treaty bodies to consider at their next meeting the content of the present resolution and to submit, through the United Nations High Commissioner for Human Rights, specific recommendations for the achievement of the goal of equitable geographical distribution in the membership of the human rights treaty bodies;

6. *Requests* the United Nations High Commissioner for Human Rights to submit concrete recommendations on the

implementation of the present resolution to the General Assembly at its sixtieth session;

7. *Decides* to continue its consideration of the question at its sixtieth session under the sub-item entitled "Implementation of human rights instruments".

RESOLUTION 59/182

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.1, para. 20)[249]

59/182. Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right that must be protected under all circumstances, including in times of internal or international disturbance or armed conflict, and that the prohibition of torture is explicitly affirmed in all relevant international instruments,

Recalling also that a number of international, regional and domestic courts, including the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, have recognized that the prohibition of torture is a peremptory norm of international law,

Recalling further the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[250]

Recalling the recommendation contained in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993[251] that high priority be given to providing the necessary resources to assist victims of torture and effective remedies for their physical, psychological and social rehabilitation, inter alia, through additional contributions to the United Nations Voluntary Fund for Victims of Torture, and noting with satisfaction the existence of a considerable international network of centres for the rehabilitation of victims of torture,

Commending the persistent efforts by non-governmental organizations to combat torture and to alleviate the suffering of victims of torture,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all Governments to implement fully the prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Condemns in particular* any action or attempt by States or public officials to legalize or authorize torture and other cruel, inhuman or degrading treatment or punishment under any circumstances, including on grounds of national security or through judicial decisions, and calls upon Governments to eliminate any practices of torture and other cruel, inhuman or degrading treatment or punishment;

3. *Urges* Governments to take effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, including their gender-based manifestations;

4. *Stresses* that all allegations of torture or other cruel, inhuman or degrading treatment or punishment must be promptly and impartially examined by the competent national authority, that those who encourage, order, tolerate or perpetrate acts of torture must be held responsible and severely punished, including the officials in charge of the place of detention where the prohibited act is found to have been committed, and takes note in this respect of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Principles)[252] as a useful tool in efforts to combat torture;

5. *Stresses also* that all acts of torture must be made offences under domestic criminal law, and emphasizes that acts of torture are serious violations of international humanitarian law and can constitute crimes against humanity and war crimes and that the perpetrators of all acts of torture must be prosecuted and punished;

6. *Urges* States to ensure that any statement that is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made;

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[249] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Canada, Chile, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Hungary, Iceland, Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela (Bolivarian Republic of).

[250] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[251] A/CONF.157/24 (Part I), chap. III.

[252] Resolution 55/89, annex.

7. *Stresses* that States must not punish personnel who are involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

8. *Recalls* that States shall not expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture;

9. *Stresses* that national legal systems must ensure that victims of torture and other cruel, inhuman or degrading treatment or punishment obtain redress, are awarded fair and adequate compensation and receive appropriate social and medical rehabilitation, urges Governments to take effective measures to this end, and in this regard encourages the development of rehabilitation centres;

10. *Calls upon* all Governments to take appropriate effective legislative, administrative, judicial and other measures to prevent and prohibit the production, trade, export and use of equipment that is specifically designed to inflict torture or other cruel, inhuman or degrading treatment;

11. *Notes with appreciation* that one hundred and thirty-nine States have become parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[251] and urges all States that have not yet done so to become parties to the Convention as a matter of priority;

12. *Invites* all States parties to the Convention that have not yet done so to consider making the declarations provided for in articles 21 and 22 of the Convention and to consider the possibility of withdrawing their reservations to article 20, and urges all States parties to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 of the Convention as soon as possible;

13. *Urges* States parties to comply strictly with their obligations under the Convention, including, in view of the high number of reports not submitted, their obligation to submit reports in accordance with article 19 of the Convention, and invites States parties to incorporate a gender perspective and information concerning children and juveniles when submitting reports to the Committee against Torture;

14. *Calls upon* States parties to give early consideration to signing and ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was adopted on 18 December 2002 by the General Assembly in its resolution 57/199 and which provides further measures for use in the fight against and prevention of torture, and notes in this context that ratifications by twenty States parties are required for the Optional Protocol to enter into force;

15. *Welcomes* the work of the Committee against Torture and the report of the Committee,[253] submitted in accordance with article 24 of the Convention;

16. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with her mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to continue to provide, at the request of Governments, advisory services for the preparation of national reports to the Committee and for the prevention of torture, as well as technical assistance in the development, production and distribution of teaching material for this purpose;

17. *Urges* States parties to take fully into account the conclusions and recommendations made by the Committee after its consideration of their reports;

18. *Notes with appreciation* the interim report of the Special Rapporteur of the Commission on Human Rights on torture and other cruel, inhuman or degrading treatment or punishment[254] on the overall trends and developments with regard to his mandate, and encourages the Special Rapporteur to continue to include in his recommendations proposals on the prevention and investigation of torture, including its gender-based manifestations;

19. *Requests* the Special Rapporteur to continue to consider including in his report information on the follow-up by Governments to his recommendations, visits and communications, including progress made and problems encountered;

20. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in the performance of his task, to supply all necessary information requested by the Special Rapporteur, to respond appropriately and expeditiously to his urgent appeals and to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries, and urges them to enter into a constructive dialogue with the Special Rapporteur with respect to the follow-up to his recommendations;

21. *Stresses* the need for the continued regular exchange of views among the Committee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the United Nations Crime Prevention and Criminal Justice Programme, with a view to enhancing further their effectiveness and cooperation on issues relating to torture, inter alia, by improving their coordination;

22. *Expresses its gratitude and appreciation* to the Governments, organizations and individuals that have already

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[253] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 44* (A/59/44).

[254] See A/59/324.

contributed to the United Nations Voluntary Fund for Victims of Torture;[255]

23. *Stresses* the importance of the work of the Board of Trustees of the Fund, and appeals to all Governments and organizations to contribute annually to the Fund, preferably by 1 March before the annual meeting of the Board, if possible with a substantial increase in the level of contributions;

24. *Requests* the Secretary-General to transmit to all Governments the appeals of the General Assembly for contributions to the Fund, to continue to include the Fund on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities and to assist the Board of Trustees of the Fund in its appeal for contributions and in its efforts to make better known the existence of the Fund;

25. *Also requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in combating torture and assisting victims of torture, commensurate with the strong support expressed by Member States for combating torture and assisting victims of torture;

26. *Further requests* the Secretary-General to submit to the Commission on Human Rights at its sixty-first session and to the General Assembly at its sixtieth session a report on the status of the Convention and a report on the operations of the Fund;

27. *Calls upon* all Governments, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture;

28. *Decides* to consider at its sixtieth session the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture, the report of the Committee against Torture and the interim report of the Special Rapporteur of the Commission on Human Rights on torture and other cruel, inhuman or degrading treatment or punishment.

RESOLUTION 59/183

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[256]

59/183. Subregional Centre for Human Rights and Democracy in Central Africa

The General Assembly,

Recalling its resolution 55/105 of 4 December 2000, concerning regional arrangements for the promotion and protection of human rights,

Recalling also its resolution 58/176 of 22 December 2003 on the Subregional Centre for Human Rights and Democracy in Central Africa,

Recalling further its resolutions 55/34 B of 20 November 2000 and 55/233 of 23 December 2000 and section III of its resolution 55/234 of 23 December 2000,

Recalling that the World Conference on Human Rights recommended that more resources be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,[257]

Recalling also the report of the United Nations High Commissioner for Human Rights,[258]

Taking note of the holding of the twenty-first ministerial meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa in Malabo from 21 to 25 June 2004,

1. *Welcomes* the activities of the Subregional Centre for Human Rights and Democracy in Central Africa at Yaoundé;

2. *Notes with satisfaction* the support provided for the establishment of the Centre by the host country;

3. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide adequate assistance for the proper functioning of the Centre;

4. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution.

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[255] See A/58/284.

[256] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Belgium, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Equatorial Guinea, France, Gabon, Gambia, Germany, Ghana, Italy, Mali, Morocco, Rwanda, Sao Tome and Principe, South Africa, Togo, Tunisia and United States of America.

[257] See A/CONF.157/24 (Part I), chap. III.

[258] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 36*, addendum (A/56/36/Add.1).

RESOLUTION 59/184

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[259] by a recorded vote of 129 to 53, with 4 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Brazil, Chile, Malawi, Singapore

59/184. Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing in particular the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[260] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[261]

Recalling also the International Covenant on Civil and Political Rights[262] and the International Covenant on Economic, Social and Cultural Rights,[262]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[263] and the outcome documents of the twenty-third[264] and twenty-fourth[265] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolution 58/193 of 22 December 2003,

Recalling further Commission on Human Rights resolution 2004/24 of 16 April 2004 on globalization and its impact on the full enjoyment of all human rights,[266]

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights,

Realizing further the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware that the risk of a global monoculture poses more of a threat if the developing world remains poor and marginalized,

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[259] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Azerbaijan, Bangladesh, Burkina Faso, Cameroon, China, Congo, Cuba, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ghana, Grenada, Guyana, Indonesia, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Malaysia, Mauritania, Mauritius, Morocco, Myanmar, Namibia, Pakistan, Philippines, Saudi Arabia, Somalia, South Africa, Sudan, Suriname, Syrian Arab Republic, Togo, Tunisia, Uganda, United Arab Emirates, Viet Nam and Zimbabwe.

[260] Resolution 217 A (III).

[261] A/CONF.157/24 (Part I), chap. III.

[262] See resolution 2200 A (XXI), annex.

[263] See resolution 55/2.

[264] Resolution S-23/2, annex, and resolution S-23/3, annex.

[265] Resolution S-24/2, annex.

[266] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights,

Deeply concerned that the widening gap between the developed and the developing countries, and within countries, has contributed, inter alia, to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Noting that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

3. *Reaffirms also* the commitment to create an environment at both the national and the global levels that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency in the financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

4. *Recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

5. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[267] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

6. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

7. *Recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

8. *Underlines* the urgent need to establish an equitable, transparent and democratic international system in which poor people and countries have a more effective voice;

9. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

10. *Affirms also* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

11. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

12. *Takes note* of the report of the Secretary-General,[268] and requests the Secretary-General to seek further the views of Member States and relevant agencies of the United Nations system and to submit a substantive report on this subject to the General Assembly at its sixtieth session.

RESOLUTION 59/185

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[269] by a recorded vote of 181 to 2, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea,

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[267] E/CN.4/2002/54.

[268] A/59/320.

[269] The draft resolution recommended in the report was sponsored in the Committee by: Benin, Cambodia, China, Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) and Tajikistan.

Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United States of America

Abstaining: Australia, Canada, Japan, Sweden

59/185. The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom, as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling that the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing that the Vienna Declaration and Programme of Action[270] reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights, and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,[271]

Welcoming the framework modalities agreed at the General Council meeting of the World Trade Organization in Geneva on 1 August 2004 in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services,[272]

Welcoming also the outcome of the eleventh session of the United Nations Conference on Trade and Development, held at São Paulo, Brazil, from 13 to 18 June 2004, on the theme "Enhancing the coherence between national development strategies and global economic processes towards economic growth and development, particularly of developing countries",[273]

Recalling all its previous resolutions and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998,[274] on the urgent need to make further progress towards the realization of the right to development as set out in the Declaration on the Right to Development,

Recalling also the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held at Kuala Lumpur from 20 to 25 February 2003, and the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, held at Durban, South Africa, from 17 to 19 August 2004,

Reiterating its continuing support for the New Partnership for Africa's Development[275] as a development framework for Africa,

Recognizing that historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Stressing that poverty eradication is one of the critical elements in the promotion and realization of the right to development and that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the millennium development goal of halving, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

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[270] A/CONF.157/24 (Part I), chap. III.

[271] See resolution 55/2.

[272] See World Trade Organization, document WT/L/579. Available from http://docsonline.wto.org.

[273] See TD/412.

[274] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[275] A/57/304, annex.

1. *Endorses* the agreed conclusions and recommendations adopted by the Working Group on the Right to Development at its fifth session,[276] and calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors;

2. *Welcomes* the establishment of a high-level task force on the implementation of the right to development within the framework of the Working Group to assist the Working Group to fulfil its mandate, and looks forward to the consideration by the Working Group of its concrete recommendations at its next session;

3. *Calls upon* the Working Group and, through it, its high-level task force, to contribute actively towards the mainstreaming of the right to development at the high-level event to be held in New York at the commencement of the sixtieth session of the General Assembly, at which a comprehensive review will be undertaken of the progress made in the fulfilment of all the commitments contained in the United Nations Millennium Declaration,[271] including the internationally agreed development goals and the global partnership required for their achievement;

4. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session,[277] congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

5. *Notes with concern* that the Subcommission on the Promotion and Protection of Human Rights at its fifty-sixth session did not consider the working paper identifying and analysing possible alternatives, and requests the Subcommission, without further delay, to submit to the Commission on Human Rights at its sixty-second session the concept document establishing options for the implementation of the right to development and their feasibility;

6. *Takes note* of the convening and outcome of the second Social Forum held at Geneva on 22 and 23 July 2004 on the theme "Poverty, rural poverty and human rights"[278] and the strong support extended to it by the Subcommission on the Promotion and Protection of Human Rights, and invites all stakeholders, including Member States, to participate actively in its subsequent sessions;

7. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

8. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action,[270] which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

9. *Stresses* that the basic responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

10. *Reaffirms* that States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development and their commitment to cooperating with each other to that end;

11. *Also reaffirms* the need for an international environment that is conducive to the realization of the right to development;

12. *Stresses* the need to strive for greater acceptance, operationalization and realization of the right to development at the international and national levels, and calls upon States to institute the measures required for the implementation of the right to development as a fundamental human right;

13. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and the international levels;

14. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, and stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable;

15. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

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[276] See E/CN.4/2004/23 and Corr.1, sect. III.

[277] E/CN.4/2002/28/Rev.1, sect. VIII.A.

[278] See E/CN.4/Sub.2/2004/26 and Corr.1.

16. *Underlines* the fact that the international community is far from meeting the target set in the Millennium Declaration of halving the number of people living in poverty by 2015, reaffirms the commitment made to meet that target, and emphasizes the principle of international cooperation, including partnership and commitment, between developed and developing countries towards achieving the goal;

17. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

18. *Recognizes* the need to address market access for developing countries, including in agriculture, services and non-agricultural products, in particular those of interest to developing countries;

19. *Calls for* the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation; implementation of commitments on implementation-related issues and concerns; review of special and differential-treatment provisions, with a view to strengthening them and making them more precise, effective and operational; avoidance of new forms of protectionism; and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

20. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development, stresses, in this regard, the need for good governance and broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

21. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

22. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between women's education and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

23. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes, and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

24. *Also stresses* that further and additional measures must be taken at the national and international levels to fight HIV/AIDS and other communicable diseases, taking into account ongoing efforts and programmes, and reiterates the need for international assistance in this regard;

25. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

26. *Emphasizes* the urgent need for taking concrete measures to fight against all forms of corruption at the national and international levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify as soon as possible, and States parties to implement effectively, the United Nations Convention against Corruption;[279]

27. *Also emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and realization of the right to development, including ensuring effective use of the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary-General to provide the Office of the High Commissioner with the necessary resources;

28. *Reaffirms* the request to the High Commissioner, in mainstreaming the right to development, to undertake effectively activities aimed at strengthening the global partnership for development between Member States, development agencies and the international development, financial and trade institutions, and to reflect those activities in detail in her report to the Commission on Human Rights at its sixty-first session;

29. *Calls upon* the United Nations agencies, funds and programmes, as well as the specialized agencies, to mainstream

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[279] Resolution 58/4, annex.

the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

30. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

31. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixtieth session and an interim report to the Commission on Human Rights at its sixty-first session on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the Chairperson of the Working Group on the Right to Development to present a verbal update to the General Assembly at its sixtieth session.

RESOLUTION 59/186

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[280]

59/186. Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,[281] the International Covenant on Civil and Political Rights,[282] the International Covenant on Economic, Social and Cultural Rights[282] and other human rights instruments adopted by the United Nations,

Recalling its resolution 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, and its resolution 50/107 of 20 December 1995, by which it proclaimed the first United Nations Decade for the Eradication of Poverty (1997–2006), as well as its resolution 57/211 of 18 December 2002 and its previous resolutions on human rights and extreme poverty, in which it reaffirmed that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the understanding, promotion and protection of all human rights,

Deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and manifestations, such as hunger, trafficking in human beings, disease, lack of adequate shelter, illiteracy and hopelessness, are particularly severe in developing countries, while acknowledging the significant progress made in several parts of the world in combating extreme poverty,

Recalling Commission on Human Rights resolution 2004/23 of 16 April 2004,[283] as well as resolution 2004/7 of 9 August 2004 of the Subcommission on the Promotion and Protection of Human Rights,[284]

Welcoming the Summit of World Leaders for Action against Hunger and Poverty of 20 September 2004, convened in New York by the Presidents of Brazil, Chile and France and the Prime Minister of Spain with the support of the Secretary-General,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization and requires coordinated and continued policies through decisive national action and international cooperation,

Reaffirming that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and might, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Reaffirming also that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty,

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[280] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Italy, Japan, Kenya, Kuwait, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Zambia.

[281] Resolution 217 A (III).

[282] See resolution 2200 A (XXI), annex.

[283] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[284] See E/CN.4/2005/2-E/CN.4/Sub.2/2004/48, chap. II, sect. A.

Noting with interest the extension for a period of two years of the mandate of the independent expert on the question of human rights and extreme poverty,

1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Also reaffirms* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty, and that it is essential for people living in poverty and vulnerable groups to be empowered to organize themselves and to participate in all aspects of political, economic and social life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society and the United Nations system, including international financial institutions, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Reaffirms* that the existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

5. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

6. *Reaffirms* the commitments contained in the United Nations Millennium Declaration,[285] in particular the commitments to spare no effort to fight against extreme poverty and to achieve development and poverty eradication, including the commitment to halve, by 2015, the proportion of the world's people whose income is less than one United States dollar a day and the proportion of people who suffer from hunger;

7. *Invites* the United Nations High Commissioner for Human Rights, within the framework of the implementation of the United Nations Decade for the Eradication of Poverty, to continue to give appropriate attention to the question of human rights and extreme poverty;

8. *Welcomes* the efforts of entities throughout the United Nations system to incorporate the Millennium Declaration and the internationally agreed development goals set out therein into their work;

9. *Requests* the independent expert on the question of human rights and extreme poverty to forward his reports on his activities, which he will submit to the Commission on Human Rights at its sixty-first and sixty-second sessions, to the General Assembly at its sixty-first session;

10. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations to continue to give appropriate attention to the links between human rights and extreme poverty;

11. *Decides* to consider the question further at its sixty-first session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

RESOLUTION 59/187

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[286]

59/187. Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[287] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration on 8 September 2000[288] and its resolution 58/170 of 22 December 2003, and taking note of Commission on Human Rights resolution 2004/63 of 21 April 2004 on the enhancement of international cooperation in the field of human rights,[289]

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[285] See resolution 55/2.

[286] The draft resolution recommended in the report was sponsored in the Committee by China, and Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[287] A/CONF.157/24 (Part I), chap. III.

[288] See resolution 55/2.

[289] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, and its role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all the activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[290]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

8. *Calls upon* Member States, specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

9. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

10. *Decides* to continue its consideration of the question at its sixtieth session.

RESOLUTION 59/188

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[291] by a recorded vote of 132 to 53, with no abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico,

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[290] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

[291] The draft resolution recommended in the report was sponsored in the Committee by China, and Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: None

59/188. Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions, the most recent of which was resolution 58/171 of 22 December 2003, and Commission on Human Rights resolution 2004/22 of 16 April 2004,[292]

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report of the Secretary-General,[293] submitted pursuant to Commission on Human Rights resolution 1999/21 of 23 April 1999,[294] and the reports of the Secretary-General on the implementation of resolutions 52/120 of 12 December 1997[295] and 55/110 of 4 December 2000,[296]

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and, in this regard, reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,[297]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[298] the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[299] the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[300] and their five-year reviews,

Expressing its concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing its grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women and children, including adolescents,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

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[292] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[293] E/CN.4/2000/46 and Add.1.

[294] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[295] A/53/293 and Add.1.

[296] A/56/207 and Add.1.

[297] See A/CONF.157/24 (Part I), chap. III, sect. I, para. 31.

[298] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[299] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[300] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annexes I and II.

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Commission on Human Rights, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,[301]

1. *Urges* all States to refrain from adopting or implementing any unilateral measures not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[302] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Also urges* all States to take steps to avoid and to refrain from adopting any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for their health and well-being and their right to food, medical care and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

3. *Invites* all States to consider adopting administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

4. *Rejects* unilateral coercive measures with all their extraterritorial effects as tools for political or economic pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

5. *Calls upon* Member States that have initiated such measures to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest possible time;

6. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

7. *Urges* the Commission on Human Rights to take fully into account the negative impact of unilateral coercive measures, including the enactment of national laws and their extraterritorial application, in its task concerning the implementation of the right to development;

8. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

9. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its sixtieth session, highlighting the practical and preventive measures in this respect;

10. *Decides* to examine the question on a priority basis at its sixtieth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

RESOLUTION 59/189

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[303]

59/189. Missing persons

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949[304] and the Additional Protocols thereto, of 1977,[305] as well as international standards of human rights, in particular the Universal Declaration of Human Rights,[306] the International Covenant on Economic, Social and Cultural Rights,[307] the International Covenant on Civil and Political Rights,[307] the Convention on the Rights of the Child[308] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[309]

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[301] Resolution 41/128, annex.

[302] Resolution 217 A (III).

[303] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Argentina, Armenia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Canada, Chile, Costa Rica, Croatia, Cyprus, Democratic Republic of the Congo, Egypt, Ethiopia, Georgia, Germany, Greece, Grenada, Italy, Jordan, Kazakhstan, Kyrgyzstan, Libyan Arab Jamahiriya, Liechtenstein, Mauritania, Nicaragua, Nigeria, Pakistan, Panama, Peru, Qatar, Romania, Saudi Arabia, Senegal, Serbia and Montenegro, Slovenia, Somalia, Sudan, Switzerland, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine and Uzbekistan.

[304] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[305] Ibid., vol. 1125, Nos. 17512 and 17513.

Recalling its resolution 57/207 of 18 December 2002 and Commission on Human Rights resolutions 2002/60 of 25 April 2002[310] and 2004/50 of 20 April 2004,[311]

Noting with deep concern that armed conflicts are continuing in various parts of the world, often resulting in serious violations of international humanitarian law and human rights law,

Recognizing that great technological progress has been achieved in the field of DNA forensic sciences with regard to missing persons, such as the work done by the International Commission on Missing Persons, based in Sarajevo, which could significantly assist efforts to identify missing persons from other conflict areas in the world,

Noting, in this regard, that the issue of persons reported missing in connection with international armed conflicts, in particular those who are victims of serious violations of international humanitarian law and human rights law, continues to have a negative impact on efforts to put an end to those conflicts,

Welcoming the convening in Geneva, from 19 to 21 February 2003, by the International Committee of the Red Cross, of the International Conference of Governmental and Non-Governmental Experts on the theme "The missing: action to resolve the problem of people unaccounted for as a result of armed conflict or internal violence and to assist their families" and the observations and recommendations of the Conference for addressing the problem of missing persons and their families,

Welcoming also the undertakings by the participants at the Twenty-eighth International Conference of the Red Cross and Red Crescent, held in Geneva from 2 to 6 December 2003, through their adoption of the Agenda for Humanitarian Action, in particular general objective 1, to respect and restore the dignity of persons missing as a result of armed conflicts or other situations of armed violence and of their families,

1. *Urges* States strictly to observe and respect and ensure respect for the rules of international humanitarian law, as set out in the Geneva Conventions of 12 August 1949[304] and in the Additional Protocols thereto, of 1977;[305]

2. *Calls upon* States that are parties to an armed conflict to take all appropriate measures to prevent persons from going missing in connection with armed conflict and to account for persons reported missing as a result of such a situation;

3. *Reaffirms* the right of families to know the fate of their relatives reported missing in connection with armed conflicts;

4. *Also reaffirms* that each party to an armed conflict, as soon as circumstances permit and, at the latest, from the end of active hostilities, shall search for the persons who have been reported missing by an adverse party;

5. *Calls upon* States which are parties to an armed conflict to take all necessary measures, in a timely manner, to determine the identity and fate of persons reported missing in connection with the armed conflict;

6. *Requests* States to pay the utmost attention to cases of children reported missing in connection with armed conflicts and to take appropriate measures to search for and identify those children;

7. *Invites* States which are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of missing persons and to adopt a comprehensive approach to this issue, including all practical and coordination mechanisms that may be necessary, based on humanitarian considerations only;

8. *Urges* States and encourages intergovernmental and non-governmental organizations to take all necessary measures at the national, regional and international levels to address the problem of persons reported missing in connection with armed conflicts and to provide appropriate assistance as requested by the States concerned;

9. *Invites* relevant human rights mechanisms and procedures, as appropriate, to address the problem of persons reported missing in connection with armed conflicts in their forthcoming reports to the General Assembly;

10. *Requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

11. *Also requests* the Secretary-General to submit a comprehensive report on the implementation of the present resolution to the Commission on Human Rights at its sixty-second session and to the General Assembly at its sixty-first session;

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[306] Resolution 217 A (III).

[307] See resolution 2200 A (XXI), annex.

[308] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[309] A/CONF.157/24 (Part I), chap. III.

[310] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

[311] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

12. *Decides* to consider the question at its sixty-first session.

RESOLUTION 59/190

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[312]

59/190. Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[313] the International Covenants on Human Rights[314] and other relevant instruments,

Deeply convinced that United Nations action in the field of human rights should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[315]

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the promotion and protection of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[313] the International Covenant on Economic, Social and Cultural Rights,[314] the International Covenant on Civil and Political Rights[314] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms, as a legitimate concern of the world community, should be guided

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[312] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Bangladesh, Benin, Botswana, Burkina Faso, Burundi, Cambodia, Cameroon, China, Colombia, Congo, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Grenada, Guinea-Bissau, Indonesia, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mauritius, Mozambique, Myanmar, Namibia, Nigeria, Pakistan, Qatar, Russian Federation, Saint Vincent and the Grenadines, Somalia, South Africa, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkmenistan, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

[313] Resolution 217 A (III).

[314] Resolution 2200 A (XXI), annex.

[315] A/CONF.157/24 (Part I), chap. III.

by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. *Stresses*, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Commission on Human Rights to take duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity;

11. *Takes note* of the report of the Secretary-General,[316] and requests the Secretary-General to invite Member States and intergovernmental and non-governmental organizations to present further practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on the question to the General Assembly at its sixtieth session;

12. *Decides* to consider the matter at its sixty-first session under the item entitled "Human rights questions".

RESOLUTION 59/191

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[317]

59/191. Protection of human rights and fundamental freedoms while countering terrorism

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

Recalling that States are under the obligation to protect all human rights and fundamental freedoms of all persons, and deploring violations of human rights and fundamental freedoms in the context of the fight against terrorism,

Recognizing that the respect for human rights, the respect for democracy and the respect for the rule of law are interrelated and mutually reinforcing,

Noting the declarations, statements and recommendations of a number of human rights treaty monitoring bodies and special procedures on the question of the compatibility of counter-terrorism measures with human rights obligations,

Recalling its resolutions 57/219 of 18 December 2002 and 58/187 of 22 December 2003 as well as Commission on Human Rights resolutions 2003/68 of 25 April 2003[318] and 2004/87 of 21 April 2004[319] and other relevant resolutions of the General Assembly and the Commission on Human Rights,

Recalling also its resolution 48/141 of 20 December 1993 and, inter alia, the responsibility of the United Nations High Commissioner for Human Rights to promote and protect the effective enjoyment of all human rights,

Reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and the security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

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[316] A/59/327.

[317] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Argentina, Armenia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Germany, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mexico, Monaco, Netherlands, New Zealand, Norway, Panama, Paraguay, Poland, Portugal, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sudan, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of).

[318] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[319] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

Noting the declaration on the issue of combating terrorism contained in the annex to Security Council resolution 1456 (2003) of 20 January 2003, in particular the statement that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Deploring the suffering caused by terrorism to the victims and their families, and expressing its profound solidarity with them,

Stressing that everyone is entitled to all the rights and freedoms recognized in the Universal Declaration of Human Rights[320] without distinction of any kind, including on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

1. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

2. *Also reaffirms* the obligation of States, in accordance with article 4 of the International Covenant on Civil and Political Rights,[321] to respect certain rights as non-derogable in any circumstances, recalls, in regard to all other Covenant rights, that any measures derogating from the provisions of the Covenant must be in accordance with that article in all cases, and underlines the exceptional and temporary nature of any such derogations;[322]

3. *Calls upon* States to raise awareness about the importance of these obligations among national authorities involved in combating terrorism;

4. *Welcomes* the report of the Secretary-General submitted pursuant to resolution 58/187,[323] in which it is stated that it is imperative that all States work to uphold and protect the dignity of individuals and their fundamental freedoms, as well as democratic practices and the rule of law, while countering terrorism;

5. *Takes note with appreciation* of the study of the United Nations High Commissioner for Human Rights submitted pursuant to resolution 58/187;[324]

6. *Encourages* States to make available to relevant national authorities the "Digest of Jurisprudence of the United Nations and Regional Organizations on the Protection of Human Rights while Countering Terrorism" and to take into account its content, and requests the High Commissioner to update and publish it periodically;

7. *Welcomes* the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its Counter-Terrorism Committee and the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and its Counter-Terrorism Committee to strengthen the links and to continue to develop cooperation with relevant human rights bodies, in particular with the Office of the United Nations High Commissioner for Human Rights, giving due regard to the promotion and protection of human rights in the ongoing work pursuant to relevant Security Council resolutions relating to terrorism;

8. *Requests* all relevant special procedures and mechanisms of the Commission on Human Rights, as well as the United Nations human rights treaty bodies, to consider, within their mandates, the protection of human rights and fundamental freedoms in the context of measures to combat terrorism, and encourages them to coordinate their efforts where appropriate, in order to promote a consistent approach on this subject;

9. *Encourages* States, while countering terrorism, to take into account relevant United Nations resolutions and decisions on human rights, and encourages them to consider the recommendations of the special procedures and mechanisms of the Commission on Human Rights and the relevant comments and views of United Nations human rights treaty bodies;

10. *Notes with appreciation* the appointment of an independent expert on the protection of human rights and fundamental freedoms while countering terrorism pursuant to Commission on Human Rights resolution 2004/87,[319] and encourages States to cooperate fully with him;

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[320] Resolution 217 A (III).

[321] See resolution 2200 (XXI), annex.

[322] See, for example, General Comment No. 29 on states of emergency adopted by the Human Rights Committee on 24 July 2001.

[323] A/59/404.

[324] A/59/428.

11. *Requests* the High Commissioner, making use of existing mechanisms, to continue:

(*a*) To examine the question of the protection of human rights and fundamental freedoms while countering terrorism, taking into account reliable information from all sources;

(*b*) To make general recommendations concerning the obligation of States to promote and protect human rights and fundamental freedoms while taking actions to counter terrorism;

(*c*) To provide assistance and advice to States, upon their request, on the protection of human rights and fundamental freedoms while countering terrorism, as well as to relevant United Nations bodies;

12. *Requests* the independent expert to take into account the debate held during the fifty-ninth regular session of the General Assembly in finalizing the report mandated by the Commission on Human Rights in its resolution 2004/87, to be presented through the High Commissioner to the Commission on Human Rights at its sixty-first session;

13. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Commission on Human Rights at its sixty-first session and to the General Assembly at its sixtieth session.

RESOLUTION 59/192

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[325]

59/192. Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly,

Recalling its resolution 53/144 of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms annexed to that resolution, and reiterating the importance of the Declaration and its wide dissemination,

Recalling also all previous resolutions on this subject, in particular its resolution 58/178 of 22 December 2003 and Commission on Human Rights resolution 2004/68 of 21 April 2004,[326]

Noting with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms are facing threats, harassment and insecurity as a result of those activities,

Gravely concerned by the continuing high level of human rights violations committed against persons engaged in promoting and defending human rights and fundamental freedoms around the world and by the fact that, in a number of countries in all regions of the world, impunity for threats, attacks and acts of intimidation against human rights defenders persists and that this has a negative impact on their work and safety,

Recalling that human rights defenders are entitled to equal protection of the law, and deeply concerned about any abuse of civil or criminal proceedings against them because of their activities for the promotion and protection of human rights and fundamental freedoms,

Concerned by the considerable number of communications received by the Special Representative of the Secretary-General on the situation of human rights defenders that, together with the reports submitted by some of the special procedure mechanisms, indicate the serious nature of the risks faced by human rights defenders,

Emphasizing the important role that individuals, groups and organs of society play in the promotion and protection of all human rights and fundamental freedoms for all,

Recalling that, in accordance with article 4 of the International Covenant on Civil and Political Rights,[327] certain rights are recognized as non-derogable in any circumstances and that any measures derogating from other provisions of the Covenant must be in accordance with that article in all cases, and underlining the exceptional and temporary nature of any such derogations, as stated in General Comment No. 29, on states of emergency, adopted by the Human Rights Committee on 24 July 2001,[328]

Gravely concerned that, in some instances, national security and counter-terrorism legislation and other measures have been misused to target human rights defenders or have hindered their work and safety in a manner contrary to international law,

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[325] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cameroon, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

[326] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[327] See resolution 2200 A (XXI), annex.

[328] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 40* (A/56/40), vol. I, annex VI; see also HRI/GEN/1/Rev.7.

Acknowledging the significant work conducted by the Special Representative, and welcoming the cooperation between the Special Representative and other special procedures of the Commission on Human Rights,

Welcoming regional initiatives for the promotion and protection of human rights and the cooperation between international and regional mechanisms for the protection of human rights defenders, and encouraging further development in this regard,

Welcoming also the steps taken by some States towards adopting national policies and legislation for the protection of human rights defenders,

Recalling that the primary responsibility for promoting and protecting human rights rests with the State, and noting with deep concern that the activities of some non-State actors pose a major threat to the security of human rights defenders,

Emphasizing the need for strong and effective measures for the protection of human rights defenders,

1. *Calls upon* all States to promote and give full effect to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, including by taking, as appropriate, practical steps to that end;

2. *Welcomes* the reports of the Special Representative of the Secretary-General on the situation of human rights defenders[329] and her contribution to the effective promotion of the Declaration and the improvement of the protection of human rights defenders worldwide;

3. *Encourages* all States to ensure and maintain an environment conducive to the work of human rights defenders;

4. *Condemns* all human rights violations committed against persons engaged in promoting and defending human rights and fundamental freedoms around the world, and urges States to take all appropriate action, consistent with the Declaration and all other relevant human rights instruments, to eliminate such human rights violations;

5. *Calls upon* all States to take all necessary measures to ensure the protection of human rights defenders, at both the local and the national levels;

6. *Also calls upon* all States to ensure, protect and respect the freedom of expression and association of human rights defenders and, where registration is required, to facilitate registration, including through the establishment of effective and transparent criteria and non-discriminatory procedures under domestic law;

7. *Urges* States to ensure that any measures to combat terrorism and preserve national security comply with their obligations under international law, in particular under international human rights law, and do not hinder the work and safety of human rights defenders;

8. *Emphasizes* the importance of combating impunity, and in this regard urges States to take appropriate measures to address the question of impunity for threats, attacks and acts of intimidation against human rights defenders;

9. *Urges* States to ensure that complaints from human rights defenders are investigated and addressed in a transparent, independent and accountable manner;

10. *Urges* all Governments to cooperate with and assist the Special Representative in the performance of her tasks and to furnish all information in the fulfilment of her mandate upon request;

11. *Calls upon* Governments to give serious consideration to responding favourably to the requests of the Special Representative to visit their countries, and urges them to enter into a constructive dialogue with the Special Representative with respect to the follow-up and implementation of her recommendations, so as to enable her to fulfil her mandate even more effectively;

12. *Urges* those Governments that have not yet responded to the communications transmitted to them by the Special Representative to answer without further delay;

13. *Invites* Governments to translate the Declaration into national languages and to take measures to improve its dissemination;

14. *Encourages* States to promote awareness and training in regard to the Declaration in order to enable officials, agencies, authorities and the judiciary to observe the provisions of the Declaration and thus to promote better understanding and respect for human rights defenders;

15. *Requests* all concerned United Nations agencies and organizations, within their mandates, to provide all possible assistance and support to the Special Representative in the implementation of her programme of activities;

16. *Invites* relevant United Nations bodies, including at the country level, within their mandates and working in cooperation with States, to give due consideration to the Declaration and to the reports of the Special Representative, and requests the Office of the United Nations High Commissioner for Human Rights to draw the attention of all relevant United Nations bodies, including at the country level, to the reports of the Special Representative;

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[329] E/CN.4/2001/94, E/CN.4/2002/106 and Add.1 and 2, E/CN.4/2003/104 and Add.1–4 and E/CN.4/2004/94 and Add.1–3; see also A/56/341, A/57/182, A/58/380 and A/59/401.

17. *Encourages* all Governments to investigate expeditiously urgent appeals and allegations brought to their attention by the Special Representative and to take timely action to prevent violations of the rights of human rights defenders;

18. *Requests* the Secretary-General to provide the Special Representative with all necessary human, material and financial resources in order to enable her to continue to carry out her mandate effectively, including through country visits;

19. *Requests* the Special Representative to continue to report on her activities to the General Assembly and to the Commission on Human Rights in accordance with her mandate;

20. *Decides* to consider the question at its sixtieth session under the item entitled "Human rights questions".

RESOLUTION 59/193

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[330] by a recorded vote of 125 to 55, with 6 abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Fiji, Mexico, Nauru, Peru

59/193. Promotion of a democratic and equitable international order

The General Assembly,

Recalling its resolution 57/213 of 18 December 2002, and taking note of Commission on Human Rights resolution 2004/64 of 21 April 2004,[331]

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[332] can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practice tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

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[330] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Belarus, Benin, Burkina Faso, Burundi, Cameroon, Cape Verde, China, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Grenada, Guinea-Bissau, Iran (Islamic Republic of), Jamaica, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritania, Myanmar, Namibia, Nigeria, Pakistan, Russian Federation, Rwanda, Sierra Leone, Sudan, Suriname, Swaziland, Syrian Arab Republic, United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe.

[331] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[332] Resolution 217 A (III).

Considering also that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Emphasizing that democracy is not only a political concept but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies, and increased intercultural exchange through the preservation and promotion of cultural diversity,[333] and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

4. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(*a*) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(*b*) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(*c*) The right of every human person and all peoples to development;

(*d*) The right of all peoples to peace;

(*e*) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(*f*) Solidarity, as a fundamental value, by virtue of which global challenges must be managed in a way that distributes costs and burdens fairly, in accordance with basic principles of equity and social justice, and ensures that those who suffer or benefit the least receive help from those who benefit the most;

(*g*) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principles of full and equal participation in their respective decision-making mechanisms;

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[333] See A/CONF.189/12 and Corr.1, chap. I.

(*h*) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(*i*) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(*j*) The promotion of a free, just, effective and balanced international information and communications order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(*k*) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(*l*) The right of every person and all peoples to a healthy environment;

(*m*) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(*n*) The enjoyment by everyone of ownership of the common heritage of mankind;

(*o*) The shared responsibility of the nations of the world for managing worldwide economic and social development as well as threats to international peace and security that should be exercised multilaterally;

5. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds in the enhancement of international cooperation in the field of human rights;

6. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

7. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

8. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

9. *Recalls* the proclamation by the General Assembly of its determination to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries, and ensure steadily accelerating economic and social development and peace and justice for present and future generations;[334]

10. *Reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

11. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

12. *Requests* the Commission on Human Rights, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights and the mechanisms of the Commission on Human Rights and the Subcommission on the Promotion and Protection of Human Rights to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

13. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order, to take into account the present resolution in the preparations and development of the expert seminar to examine the interdependence between democracy and human rights that it will convene in February 2005, and to invite all Governments, specialized agencies, United Nations funds and programmes and interested non-governmental organizations to attend that seminar;

14. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental

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[334] See resolution 3201 (S-VI).

organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

15. *Decides* to continue consideration of the matter at its sixty-first session under the item entitled "Human rights questions".

RESOLUTION 59/194

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[335]

59/194. Protection of migrants

The General Assembly,

Recalling its resolution 58/190 of 22 December 2003 and Commission on Human Rights resolution 2004/53 of 20 April 2004,[336]

Recalling also its resolution 40/144 of 13 December 1985, by which it adopted the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live,

Reaffirming that the Universal Declaration of Human Rights[337] proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Considering that every State party to the International Covenant on Civil and Political Rights[338] must ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the Covenant,

Bearing in mind that every State party to the International Covenant on Economic, Social and Cultural Rights[338] has undertaken to guarantee the exercise of all rights enunciated in that Covenant without discrimination of any kind, including, in particular, on the basis of national origin,

Reaffirming the provisions concerning migrants adopted by the World Conference on Human Rights,[339] the International Conference on Population and Development,[340] the World Summit for Social Development[341] and the Fourth World Conference on Women,[342]

Reaffirming also the provisions on the human rights of migrants contained in the Durban Declaration and Programme of Action, adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[343] and expressing its satisfaction at the important recommendations made for the development of international and national strategies for the protection of migrants and for the design of migration policies that fully respect the human rights of migrants,

Welcoming the renewed commitment made in the United Nations Millennium Declaration[344] to take measures to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies,

Taking note with appreciation of the report of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants,[345] especially the work she has undertaken on the human rights of migrants, and taking note of the conclusions and recommendations contained therein,

Taking note of advisory opinion OC-16/99, issued by the Inter-American Court of Human Rights on 1 October 1999, on The Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law,

Taking note also of the Judgment of the International Court of Justice of 31 March 2004 in the case concerning *Avena and Other Mexican Nationals*,[346] and recalling the obligations of States reaffirmed therein,

Taking note further of advisory opinion OC-18/03, issued by the Inter-American Court of Human Rights on 17 September 2003, on The Juridical Condition and Rights of Undocumented Migrants,

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[335] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Armenia, Bangladesh, Bolivia, Brazil, Burkina Faso, Chile, Colombia, Côte d'Ivoire, Cuba, Ecuador, Egypt, El Salvador, Gambia, Ghana, Grenada, Guatemala, Kyrgyzstan, Mali, Mexico, Morocco, Nicaragua, Niger, Nigeria, Paraguay, Peru, Philippines, Senegal, Somalia, Sri Lanka, Sudan, Togo, Tunisia, Uruguay and Venezuela (Bolivarian Republic of).

[336] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[337] Resolution 217 A (III).

[338] See resolution 2200 A (XXI), annex.

[339] See A/CONF.157/24 (Part I), chap. III.

[340] See *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[341] See *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[342] See *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[343] See A/CONF.189/12 and Corr.1, chap. I.

[344] See resolution 55/2.

[345] E/CN.4/2004/76 and Add.1–4.

[346] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 4* (A/59/4), chap. V, sect. A.23.

Aware of the increasing number of migrants worldwide, and bearing in mind the situation of vulnerability in which migrants and their families frequently find themselves, owing, inter alia, to their absence from their States of origin and to the difficulties they encounter because of differences of language, custom and culture, as well as the economic and social difficulties and obstacles to the return to their States of origin of migrants who are non-documented or in an irregular situation,

Recognizing the positive contributions that migrants frequently make, including through their eventual integration into their host society, and the efforts that some host countries undertake to integrate migrants and their families,

Underlining the importance of the creation of conditions that foster greater harmony, tolerance and respect between migrants and the rest of society in the States in which they reside in order to eliminate manifestations of racism and xenophobia against migrants,

Encouraged by the increasing interest of the international community in the effective and full protection of the human rights of all migrants, and underlining the need to make further efforts to ensure respect for the human rights and fundamental freedoms of all migrants,

Bearing in mind the need for a focused and consistent approach towards migrants as a specific vulnerable group, in particular migrant women and children,

Resolved to ensure respect for the human rights and fundamental freedoms of all migrants,

1. *Strongly condemns* the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, and urges States to apply the existing laws when xenophobic or intolerant acts, manifestations or expressions against migrants occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

2. *Also strongly condemns* all forms of racial discrimination and xenophobia related to access to employment, vocational training, housing, schooling, health services and social services, as well as services intended for use by the public, and welcomes the active role played by governmental and non-governmental organizations in combating racism and xenophobia and in assisting individual victims of racist acts, including migrant victims;

3. *Requests* all Member States, in conformity with their respective constitutional systems, effectively to promote and protect the human rights of all migrants, in conformity with the Universal Declaration of Human Rights[337] and the international instruments to which they are party, which may include the International Covenants on Human Rights,[338] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[347] the International Convention on the Elimination of All Forms of Racial Discrimination,[348] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[349] the Convention on the Elimination of All Forms of Discrimination against Women,[350] the Convention on the Rights of the Child[351] and other relevant international human rights instruments;

4. *Welcomes* the increasing number of signatures and ratifications or accessions to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and calls upon States that have not done so to consider urgently signing and ratifying or acceding to the Convention;

5. *Also welcomes* the entry into force of the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[352] and calls upon States that have not done so to consider urgently signing and ratifying or acceding to them;

6. *Reaffirms emphatically* the duty of States parties to ensure full respect for and observance of the Vienna Convention on Consular Relations of 1963,[353] in particular with regard to the right of all foreign nationals to communicate with a consular official of the sending State in the case of arrest, imprisonment, custody or detention, and the obligation of the receiving State to inform without delay the foreign national of his or her rights under the Convention;

7. *Calls upon* States to promote and protect fully the human rights of migrants, as set out in the Durban Declaration and Programme of Action,[343] through, inter alia, the adoption of national plans of action as recommended by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

8. *Also calls upon* all States to consider reviewing and, where necessary, revising immigration policies with a view to eliminating all discriminatory practices against migrants and their families, and to provide specialized training for government policy-making, law enforcement, migration and

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[347] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[348] Resolution 2106 A (XX), annex.

[349] Resolution 45/158, annex.

[350] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[351] Ibid., vol. 1577, No. 27531.

[352] Resolution 55/25, annexes I-III.

[353] United Nations, *Treaty Series*, vol. 596, No. 8638.

other concerned officials, including in cooperation with non-governmental organizations and civil society, thus underlining the importance of effective action to create conditions that foster greater harmony and tolerance within societies;

9. *Welcomes* immigration programmes, adopted by some countries, that allow migrants to integrate fully into the host countries, facilitate family reunification and promote a harmonious and tolerant environment, and encourages States to consider the possibility of adopting these types of programmes;

10. *Requests* all States, in conformity with national legislation and applicable international legal instruments to which they are party, firmly to prosecute violations of labour law with regard to the conditions of work of migrant workers, including those related to, inter alia, their remuneration and the conditions of health and safety at work;

11. *Encourages* all States to remove obstacles that may prevent the safe, unrestricted and expeditious transfer of earnings, assets and pensions of migrants to their country of origin or to any other countries, in conformity with applicable legislation, and to consider, as appropriate, measures to solve other problems that may impede such transfers;

12. *Urges* all States to adopt effective measures to put an end to the arbitrary arrest and detention of migrants and to take action to prevent and punish any form of illegal deprivation of liberty of migrants by individuals or groups;

13. *Calls upon* States to observe national legislation and applicable international legal instruments to which they are party when enacting national security measures in order to respect the human rights of migrants;

14. *Requests* States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to train public officials who work in those facilities and in border areas to treat migrants and their families respectfully and in accordance with the law, and to prosecute, in conformity with applicable law, any act of violation of the human rights of migrants and their families, such as arbitrary detention, torture and violations of the right to life, including extrajudicial executions, during their transit from their country of origin to the country of destination and vice versa, including their transit through national borders;

15. *Encourages* Member States that have not yet done so to enact domestic legislation and to take further effective measures to combat international trafficking in and smuggling of migrants, recognizing that these crimes may endanger the lives of migrants or subject them to harm, servitude or exploitation, which may include debt bondage, slavery, sexual exploitation or forced labour, and also encourages Member States to strengthen international cooperation to combat such trafficking and smuggling;

16. *Encourages* States, in cooperation with non-governmental organizations, to undertake information campaigns aimed at clarifying opportunities, limitations and rights in the event of migration so as to enable everyone, in particular women, to make informed decisions and to prevent them from becoming victims of trafficking and utilizing dangerous means of access that put their lives and physical integrity at risk;

17. *Calls upon* States to facilitate family reunification in an expeditious and effective manner, with due regard to applicable laws, as such reunification has a positive effect on the integration of migrants;

18. *Calls upon* all States to protect and promote all human rights of migrant children, in particular unaccompanied migrant children, ensuring that the best interests of the children are a primary consideration, underlines the importance of reuniting them with their parents, when possible, and encourages the relevant United Nations bodies, within the framework of their respective mandates, to pay special attention to the conditions of migrant children in all States and, where necessary, to put forward recommendations for strengthening their protection;

19. *Encourages* States of origin to promote and protect the human rights of those families of migrant workers which remain in the countries of origin, paying particular attention to children and adolescents whose parents have emigrated, and encourages international organizations to consider supporting States in this regard;

20. *Encourages* States to consider participating in international and regional dialogues on migration that include countries of origin and destination, as well as countries of transit, and invites them to consider negotiating bilateral and regional agreements on migrant workers within the framework of applicable human rights law and designing and implementing programmes with States of other regions to protect the rights of migrants;

21. *Requests* all Governments to cooperate fully with the Special Rapporteur of the Commission on Human Rights on the human rights of migrants in the performance of the tasks and duties mandated, to furnish all information requested and to respond appropriately and expeditiously to her urgent appeals and to give serious consideration to her requests to visit their countries, and welcomes in this regard the standing invitations extended by some Member States to all special procedures, including the Special Rapporteur;

22. *Encourages* States to review and examine the conclusions and recommendations contained in the report of the Special Rapporteur[345] and to consider their re-implementation;

23. *Invites* States and intergovernmental and non-governmental organizations to observe, on 18 December of

each year, International Migrants Day, proclaimed by the General Assembly,[354] through, inter alia, the dissemination of information on the human rights and fundamental freedoms of migrants and on their economic, social and cultural contributions to their host and home countries, the sharing of experience and the design of actions to ensure their protection, and to promote greater harmony between migrants and the societies in which they live;

24. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", and requests the Special Rapporteur to submit to the Assembly at its sixtieth session an interim report on the fulfilment of her mandate;

25. *Decides* to examine the question further at its sixtieth session under the sub-item.

RESOLUTION 59/195

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[355] by a recorded vote of 127 to 50, with 8 abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Brazil, Chile, Fiji, Malawi, Nauru, Syrian Arab Republic

59/195. Human rights and terrorism

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[356] the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations[357] and the International Covenants on Human Rights,[358]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[359] as well as the Declaration on Measures to Eliminate International Terrorism,[360]

Recalling also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[361] in which the Conference reaffirmed that the acts, methods and practices of terrorism in all its forms and manifestations, as well as its linkage in some countries to drug trafficking, are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and the security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

Recalling further the United Nations Millennium Declaration adopted by the General Assembly,[362]

Recalling, in this regard, the reference in the report of the Secretary-General on the implementation of the Millennium Declaration to the fact that terrorism itself is a violation of human rights and must be combated as such and that efforts at combating it must be pursued, however, in full compliance with established international norms,[363]

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[354] See resolution 55/93.

[355] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Azerbaijan, Belarus, Bhutan, Burundi, Cameroon, Central African Republic, China, Colombia, Congo, Cuba, Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Fiji, Guinea-Bissau, India, Indonesia, Kazakhstan, Kyrgyzstan, Madagascar, Nigeria, Pakistan, Peru, Philippines, Republic of Moldova, Russian Federation, Senegal, Sri Lanka, Sudan, Swaziland, Tajikistan, Togo, Tunisia, Turkey, Ukraine, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe.

[356] Resolution 217 A (III).

[357] Resolution 2625 (XXV), annex.

[358] Resolution 2200 A (XXI), annex.

[359] See resolution 50/6.

[360] Resolution 49/60, annex.

[361] A/CONF.157/24 (Part I), chap. III.

[362] See resolution 55/2.

[363] See A/58/323, para. 28.

Recalling also its resolutions 48/122 of 20 December 1993, 49/185 of 23 December 1994, 50/186 of 22 December 1995, 52/133 of 12 December 1997, 54/109 and 54/110 of 9 December 1999, 54/164 of 17 December 1999, 55/158 of 12 December 2000, 56/160 of 19 December 2001, 57/219 and 57/220 of 18 December 2002 and 58/174 of 22 December 2003,

Recalling in particular that, in its resolution 52/133, it requested the Secretary-General to seek the views of Member States on the implications of terrorism in all its forms and manifestations for the full enjoyment of human rights and fundamental freedoms,

Recalling previous resolutions of the Commission on Human Rights on the issue of human rights and terrorism, as well as on hostage-taking,

Bearing in mind all other relevant General Assembly resolutions,

Bearing in mind also relevant Security Council resolutions,

Aware that, at the dawn of the twenty-first century, the world is witness to historic and far-reaching transformations, in the course of which forces of aggressive nationalism and religious and ethnic extremism continue to produce fresh challenges,

Alarmed that acts of terrorism in all its forms and manifestations aimed at the destruction of human rights have continued despite national and international efforts,

Convinced that terrorism in all its forms and manifestations, wherever and by whomever committed, can never be justified in any instance, including as a means to promote and protect human rights,

Concerned that, despite the efforts of the international community, acts of hostage-taking in different forms and manifestations, inter alia, committed by terrorists and armed groups, continue to take place and have even increased in many regions of the world,

Bearing in mind that the right to life is the basic human right, without which a human being can exercise no other right,

Bearing in mind also that terrorism creates an environment that destroys the right of people to live in freedom from fear,

Reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms and to ensure effective implementation of their obligations under international law,

Seriously concerned about the gross violations of human rights perpetrated by terrorist groups,

Expressing its deepest sympathy and condolences to all the victims of terrorism and their families,

Alarmed in particular at the possibility that terrorist groups may exploit new technologies to facilitate acts of terrorism, which may cause massive damage, including huge loss of human life,

Emphasizing the need to intensify the fight against terrorism at the national level, to enhance effective international cooperation in combating terrorism in conformity with international law, including relevant State obligations under international human rights and international humanitarian law, and to strengthen the role of the United Nations in this respect,

Emphasizing also that States shall deny safe haven to those who finance, plan, support or commit terrorist acts or provide safe havens,

Reaffirming that all measures to counter terrorism must be in strict conformity with international law, including international human rights standards and obligations,

Mindful of the need to protect the human rights of and guarantees for the individual in accordance with the relevant human rights principles and instruments, in particular the right to life,

Noting the growing consciousness within the international community of the negative effects of terrorism in all its forms and manifestations on the full enjoyment of human rights and fundamental freedoms and on the establishment of the rule of law and democratic freedoms as enshrined in the Charter of the United Nations and the International Covenants on Human Rights,

Concerned by the tendencies to link terrorism and violence with religion,

Noting the developments that have occurred since its fifty-eighth session on addressing the issue of human rights and terrorism at the national, regional and international levels,

1. *Reiterates its unequivocal condemnation* of the acts, methods and practices of terrorism in all its forms and manifestations as activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and the security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences for the economic and social development of States;

2. *Strongly condemns* the violations of the right to life, liberty and security;

3. *Rejects* the identification of terrorism with any religion, nationality or culture;

4. *Profoundly deplores* the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified in any circumstances;

5. *Expresses its solidarity* with the victims of terrorism;

6. *Reaffirms* the decision of the Heads of State and Government, as contained in the United Nations Millennium Declaration,[362] to take concerted action against international terrorism and to accede as soon as possible to all the relevant regional and international conventions;

7. *Urges* the international community to enhance cooperation at the regional and international levels in the fight against terrorism in all its forms and manifestations, in accordance with relevant international instruments, including those relating to human rights, with the aim of its eradication;

8. *Calls upon* States to take all necessary and effective measures, in accordance with relevant provisions of international law, including international human rights standards, to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever it is committed, and also calls upon States to strengthen, where appropriate, their legislation to combat terrorism in all its forms and manifestations;

9. *Urges* all States to deny safe haven to terrorists;

10. *Calls upon* States to take appropriate measures, in conformity with relevant provisions of national and international law, including international human rights standards, before granting refugee status, for the purpose of ensuring that an asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts, including assassinations, and to ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

11. *Urges* States and the Office of the United Nations High Commissioner for Refugees to review, with full respect for legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light which indicates that the person in question has planned, facilitated or participated in the commission of terrorist acts;

12. *Condemns* the incitement to ethnic hatred, violence and terrorism;

13. *Stresses* that every person, regardless of nationality, race, sex, religion or any other distinction, has a right to protection from terrorism and terrorist acts;

14. *Expresses concern* about the growing connection between terrorist groups and other criminal organizations engaged in the illegal traffic in arms and drugs at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, the taking of hostages and robbery, and requests the relevant United Nations bodies to continue to give special attention to this question;

15. *Requests* the Secretary-General to continue to seek the views of Member States on the implications of terrorism in all its forms and manifestations for the full enjoyment of all human rights and fundamental freedoms and on the possible establishment of a voluntary fund for the victims of terrorism, as well as on ways and means to rehabilitate the victims of terrorism and to reintegrate them into society, with a view to incorporating his findings in his report to the General Assembly;

16. *Takes note* of the work of the Subcommission on the Promotion and Protection of Human Rights on the issue of terrorism and the final report of the Special Rapporteur of the Subcommission on terrorism and human rights;[364]

17. *Requests* the Office of the United Nations High Commissioner for Human Rights, in the course of the examination of the question and in the conduct of any study on terrorism that may be mandated, and in its activities relating to the issue of terrorism, to adopt a comprehensive approach, in particular by giving full and equal attention to the issues raised in the present resolution with relation to the grave impact of terrorism on the enjoyment of the human rights of individuals;

18. *Decides* to consider the question at its sixtieth session under the item entitled "Human rights questions".

RESOLUTION 59/196

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[365]

59/196. Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

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[364] E/CN.4/Sub.2/2004/40.

[365] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Monaco, Mongolia, Morocco, Nauru, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Sao Tome and Principe, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and United States of America.

Recalling also Commission on Human Rights resolution 1993/51 of 9 March 1993[366] and its subsequent resolutions in this regard,

Bearing in mind the relevant resolutions of the Commission on Human Rights concerning advisory services and technical cooperation in the field of human rights, including its most recent on that subject, resolution 2004/81 of 21 April 2004,[367]

Bearing in mind also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[368] which reiterates, inter alia, the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

Recalling that the World Conference recommended that more resources should be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,

Reaffirming that regional arrangements play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments,

Noting the progress achieved thus far in the promotion and protection of human rights at the regional level under the auspices of the United Nations, the specialized agencies and the regional intergovernmental organizations,

Considering that cooperation between the United Nations and regional arrangements in the field of human rights continues to be both substantive and supportive and that possibilities exist for increased cooperation,

Welcoming the fact that the Office of the High Commissioner has been systematically pursuing a regional and subregional approach through a variety of complementary means and methods, in order to maximize the impact of the activities of the United Nations at the national level,

1. *Takes note with satisfaction* of the report of the Secretary-General;[369]

2. *Welcomes* the continuing cooperation and assistance of the Office of the United Nations High Commissioner for Human Rights in the further strengthening of the existing regional arrangements and regional machinery for the promotion and protection of human rights, in particular through technical cooperation aimed at national capacity-building, public information and education, with a view to exchanging information and experience in the field of human rights;

3. *Also welcomes*, in that respect, the close cooperation of the Office of the High Commissioner in the organization of regional and subregional training courses and workshops in the field of human rights, high-level governmental expert meetings and regional conferences of national human rights institutions, aimed at creating greater understanding in the regions of issues concerning the promotion and protection of human rights, improving procedures and examining the various systems for the promotion and protection of universally accepted human rights standards and identifying obstacles to ratification of the principal international human rights treaties and strategies to overcome them;

4. *Recognizes*, therefore, that progress in promoting and protecting all human rights depends primarily on efforts made at the national and local levels, and that the regional approach should imply intensive cooperation and coordination with all partners involved, while bearing in mind the importance of international cooperation;

5. *Stresses* the importance of the programme of technical cooperation in the field of human rights, renews its appeal to all Governments to consider making use of the possibilities offered by the United Nations under this programme of organizing information or training courses at the national level for government personnel on the application of international human rights standards and the experience of relevant international bodies, and notes with satisfaction, in that respect, the establishment of technical cooperation projects with Governments of all regions;

6. *Welcomes* the growing exchanges between the United Nations and the United Nations human rights treaty bodies, on the one hand, and regional organizations and institutions, including the Council of Europe, the Organization for Security and Cooperation in Europe, the League of Arab States, the Inter-American Commission on Human Rights and the African Commission on Human and Peoples' Rights, on the other;

7. *Also welcomes* the placement by the Office of the High Commissioner of regional representatives in subregions and in regional commissions;

8. *Further welcomes* the progress achieved in the establishment of regional and subregional arrangements for the promotion and protection of human rights, and, in this regard, notes with interest:

(*a*) The positive experience of the regional and subregional presence of the Office of the High Commissioner in southern, central and eastern Africa aimed at strengthening national and subregional human rights capacities;

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[366] See *Official Records of the Economic and Social Council, 1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

[367] Ibid., *2004, Supplement No. 3* (E/2004/23), chap II, sect. A.

[368] A/CONF.157/24 (Part I), chap. III.

[369] A/59/323.

(*b*) The support provided by the Office of the High Commissioner to the African Union for the strengthening of its human rights system, and welcomes in this regard the entry into force of the Protocol to the African Charter on Human and Peoples' Rights and the establishment of an African Court on Human and Peoples' Rights;

(*c*) The increased, valuable sharing of concrete national experiences at the eleventh and twelfth Workshops on Regional Cooperation for the Promotion and Protection of Human Rights in the Asian and Pacific Region, held in Islamabad from 25 to 27 February 2003 and in Doha from 2 to 4 March 2004, respectively, regarding the implementation of the Framework of Regional Technical Cooperation for the Asia-Pacific Region, which contributes to the enhancement of the promotion and protection of human rights in the region;

(*d*) Activities undertaken within the framework of the regional project of the Office of the High Commissioner for the promotion and protection of human rights in the Latin American and Caribbean region and the strengthening of the cooperation between the Office of the High Commissioner, the Organization of American States and the Inter-American Commission on Human Rights;

(*e*) Activities undertaken within the framework of cooperation between the Office of the High Commissioner and the League of Arab States and the intention to develop a broader technical cooperation programme in cooperation with the League of Arab States following the recent adoption of the Arab Charter on Human Rights;

(*f*) The continued cooperation between the Office of the High Commissioner and regional organizations in Europe and Central Asia, namely the Organization for Security and Cooperation in Europe, the Council of Europe and the European Union, in particular for activities at the country level, as well as the agreements between the European Commission and the Office of the High Commissioner for financing technical cooperation projects;

9. *Invites* States in areas in which regional arrangements in the field of human rights do not yet exist to consider concluding agreements with a view to establishing, within their respective regions, suitable regional machinery for the promotion and protection of human rights;

10. *Requests* the Secretary-General, as foreseen in programme 19, Human rights, of the revised medium-term plan for the period 2002–2005,[370] to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights and to make available adequate resources from within the regular budget of technical cooperation to the activities of the Office of the High Commissioner to promote regional arrangements;

11. *Requests* the Office of the High Commissioner to continue to pay special attention to the most appropriate ways of assisting countries of the various regions, at their request, under the programme of technical cooperation and to make, where necessary, relevant recommendations, and in this regard welcomes the decision of the Office to strengthen national protection systems in accordance with action 2 of the reform programme of the Secretary-General;[371]

12. *Invites* the Secretary-General to provide, in the report that he will submit to the Commission on Human Rights at its sixty-first session, information on progress made since the adoption of the Vienna Declaration and Programme of Action[368] on reinforcing the exchange of information and extending collaboration between the organs of the United Nations dealing with human rights and regional organizations in the field of the promotion and protection of human rights;

13. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the state of regional arrangements for the promotion and protection of human rights, formulating concrete proposals and recommendations on ways and means to strengthen cooperation between the United Nations and regional arrangements in the field of human rights, and to include therein the results of action taken in pursuance of the present resolution;

14. *Decides* to consider the question further at its sixty-first session.

RESOLUTION 59/197

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[372] by a recorded vote of 142 to none, with 43 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Costa Rica, Côte d'Ivoire,

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[370] See *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 6* and corrigendum (A/57/6/Rev.1 and Corr.1).

[371] See A/57/387 and Corr.1.

[372] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Netherlands, New Zealand, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Swaziland, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of).

Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Serbia and Montenegro, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Zambia

Against: None

Abstaining: Bahrain, Bangladesh, Belarus, Brunei Darussalam, China, Colombia, Comoros, Democratic People's Republic of Korea, Djibouti, Egypt, Ethiopia, Indonesia, Iran (Islamic Republic of), Iraq, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Morocco, Myanmar, Oman, Pakistan, Papua New Guinea, Qatar, Saudi Arabia, Senegal, Singapore, Sudan, Syrian Arab Republic, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zimbabwe

59/197. Extrajudicial, summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights,[373] which guarantees the right to life, liberty and security of person, and the relevant provisions of the International Covenant on Civil and Political Rights,[374]

Having regard to the legal framework of the mandate of the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions, including the provisions contained in Commission on Human Rights resolutions 1992/72 of 5 March 1992[375] and 2001/45 of 23 April 2001,[376] as well as General Assembly resolution 47/136 of 18 December 1992,

Noting its resolutions on the subject of extrajudicial, summary or arbitrary executions and the resolutions of the Commission on Human Rights on the subject,

Recalling Economic and Social Council resolution 1984/50 of 25 May 1984 and the safeguards guaranteeing protection of the rights of those facing the death penalty, annexed thereto, and Council resolution 1989/64 of 24 May 1989 on their implementation, as well as the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power adopted by the General Assembly in its resolution 40/34 of 29 November 1985,

Recalling also Economic and Social Council resolution 1989/65 of 24 May 1989, in which the Council recommended the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions,

Convinced of the need for effective action to combat and to eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent a flagrant violation of the right to life,

1. *Strongly condemns once again* all the extrajudicial, summary or arbitrary executions that continue to occur throughout the world;

2. *Demands* that all Governments ensure that the practice of extrajudicial, summary or arbitrary executions is brought to an end and that they take effective action to combat and eliminate the phenomenon in all its forms;

3. *Notes with grave concern* that situations of extrajudicial, summary or arbitrary executions may, under certain circumstances, result in genocide or crimes against humanity, as defined in the Convention on the Prevention and Punishment of the Crime of Genocide[377] and other relevant international instruments;

4. *Notes with deep concern* that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions;

5. *Reiterates* the obligation of all Governments to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions, to identify and bring to justice those responsible, while ensuring the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law, to grant adequate compensation within a reasonable time to the victims or their families, and to adopt all necessary measures, including legal and judicial measures, to put an end to impunity and to prevent the further occurrence of such executions;

6. *Acknowledges* the establishment of the International Criminal Court as an important contribution to ending impunity concerning extrajudicial, summary or arbitrary executions and the fact that ninety-seven States have already ratified or acceded to and one hundred and thirty-nine States have signed the Rome

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[373] Resolution 217 A (III).

[374] See resolution 2200 A (XXI), annex.

[375] See *Official Records of the Economic and Social Council, 1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

[376] Ibid., *2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[377] Resolution 260 A (III), annex.

Statute,[378] and calls upon all other States to consider becoming parties to the Statute;

7. *Calls upon* all States in which the death penalty has not been abolished to comply with their obligations under relevant provisions of international human rights instruments, including in particular articles 6, 7 and 14 of the International Covenant on Civil and Political Rights[374] and articles 37 and 40 of the Convention on the Rights of the Child,[379] bearing in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 and 1989/64;

8. *Urges* all Governments:

(*a*) To take all necessary measures to prevent the occurrence of extrajudicial, summary or arbitrary executions, including those occurring in custody;

(*b*) To take all necessary and possible measures, in conformity with international human rights law and international humanitarian law, to prevent loss of life, in particular that of children, during public demonstrations, internal and communal violence, civil unrest and public emergencies or armed conflicts, and to ensure that the police, law enforcement agents and security forces act with restraint and in conformity with international human rights law and international humanitarian law;

(*c*) To ensure the effective protection of the right to life of all persons under their jurisdiction and to investigate promptly and thoroughly all killings, including those targeted at specific groups of persons, such as racially motivated violence leading to the death of the victim, killings of members of national, ethnic, religious or linguistic minorities, of refugees, internally displaced persons, migrants, street children or members of indigenous communities, killings of persons for reasons related to their peaceful activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour, all killings committed for any discriminatory reason, including sexual orientation, as well as all other cases where a person's right to life has been violated, and to bring those responsible to justice before a competent, independent and impartial judiciary and to ensure that such killings, including those committed by security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;

9. *Encourages* Governments and intergovernmental and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials in human rights and humanitarian law issues connected with their work and to include a gender perspective in such training, and appeals to the international community and requests the Office of the United Nations High Commissioner for Human Rights to support endeavours to that end;

10. *Reaffirms* Economic and Social Council decision 2004/259 of 22 July 2004, by which the Council endorsed the decision of the Commission on Human Rights to extend the mandate of the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions for three years;

11. *Takes note* of the interim report of the Special Rapporteur to the General Assembly;[380]

12. *Commends* the important role that the Special Rapporteur plays towards the elimination of extrajudicial, summary or arbitrary executions, and encourages the Special Rapporteur to continue, within his mandate, to collect information from all concerned, to respond effectively to reliable information that comes before him, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, in his reports;

13. *Urges* the Special Rapporteur to continue, within his mandate, to bring to the attention of the United Nations High Commissioner for Human Rights and, as appropriate, the Special Adviser to the Secretary-General on the Prevention of Genocide, situations of extrajudicial, summary or arbitrary executions that are of particularly serious concern or in which early action might prevent further deterioration;

14. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures relating to human rights, as well as with medical and forensic experts, and encourages the Special Rapporteur to continue efforts in that regard;

15. *Urges* all Governments, in particular those that have not yet done so, to respond in a timely manner to the communications and requests for information transmitted to them by the Special Rapporteur, and urges them and all others concerned to cooperate with and assist the Special Rapporteur so that he may carry out his mandate effectively, including, where appropriate, by issuing invitations to the Special Rapporteur when he so requests;

16. *Expresses its appreciation* to those Governments that have invited the Special Rapporteur to visit their countries, asks them to examine carefully the recommendations made by

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[378] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[379] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[380] See A/59/319.

the Special Rapporteur, invites them to inform the Special Rapporteur of the actions taken on those recommendations, and requests other Governments to cooperate in a similar way;

17. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standards of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

18. *Requests* the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources to enable him to carry out his mandate effectively, including through country visits;

19. *Also requests* the Secretary-General to continue, in close collaboration with the High Commissioner, in conformity with the mandate of the High Commissioner established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in human rights and humanitarian law issues form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

20. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-first session on the situation worldwide in regard to extrajudicial, summary or arbitrary executions and his recommendations for more effective action to combat this phenomenon.

RESOLUTION 59/198

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[381]

59/198. Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

The General Assembly,

Recalling its resolution 56/168 of 19 December 2001, by which it decided to establish an Ad Hoc Committee, open to the participation of all Member States and observers to the United Nations, to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, based on a holistic approach in the work done in the fields of social development, human rights and non-discrimination and taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development,

Recalling also its resolution 58/246 of 23 December 2003, as well as relevant resolutions of the Commission for Social Development and the Commission on Human Rights,

Reaffirming the universality, indivisibility and interdependence of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination,

Convinced of the contribution that a convention can make in this regard, and encouraged by the increased support of the international community for such a convention,

Stressing the importance of the active participation of intergovernmental and non-governmental organizations and national human rights institutions in the work of the Ad Hoc Committee, and their valuable contribution to the promotion of the full enjoyment of all human rights and fundamental freedoms by persons with disabilities,

Underlining the importance of the participation of the Special Rapporteur on disability of the Commission for Social Development in the work of the Ad Hoc Committee,

Recognizing the important contributions made thus far to the Ad Hoc Committee by all stakeholders,

1. *Welcomes* the report of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities;[382]

2. *Requests* the Secretary-General to transmit the report of the Ad Hoc Committee to the Commission for Social Development at its forty-third session and to the Commission on Human Rights at its sixty-first session, and further requests both Commissions to continue to contribute to the work of the Ad Hoc Committee;

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[381] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mauritius, Mexico, Morocco, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of).

[382] See A/59/360.

3. *Welcomes with satisfaction* the beginning of the negotiations on a draft convention by the Ad Hoc Committee at its third session, as requested by the General Assembly in resolution 58/246, and the progress achieved so far in the negotiation of a draft convention;

4. *Invites* Member States and observers to continue to participate actively and constructively in the Ad Hoc Committee with a view to the early conclusion of a draft text of a convention, in order to present it to the General Assembly, as a matter of priority, for its adoption;

5. *Decides* that the Ad Hoc Committee shall hold, within existing resources, prior to the sixtieth session of the General Assembly, two sessions in 2005, of ten working days each, to be held, respectively, from 24 January to 4 February and in July/August;

6. *Underlines* the importance of further strengthening the cooperation and coordination between the Office of the United Nations High Commissioner for Human Rights and the Department of Economic and Social Affairs of the Secretariat in order to provide technical support to the work of the Ad Hoc Committee, and in this regard invites them to provide, in advance of the meetings of the Ad Hoc Committee, background documentation to assist Member States and observers in the negotiation of a draft convention, and to organize, in close connection and timing with the meetings and venue of the Ad Hoc Committee, meetings of experts and seminars in relation to the draft convention, within existing resources;

7. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the facilities necessary for the performance of its work, and in this context invites the Secretary-General to reallocate resources to the United Nations Programme on Disability so as to provide support to the negotiations on a draft convention;

8. *Stresses* the need for additional efforts to ensure accessibility at the United Nations, with reasonable accommodation regarding facilities and documentation, for all persons with disabilities, in accordance with General Assembly decision 56/474 of 23 July 2002;

9. *Encourages* Member States to continue to include in their delegations to the Ad Hoc Committee persons with disabilities and/or other experts in the field;

10. *Urges* Member States, observers, civil society and the private sector to contribute to the voluntary fund established pursuant to its resolution 57/229 of 18 December 2002 to support the participation of non-governmental organizations and experts from developing countries, in particular least developed countries, in the work of the Ad Hoc Committee;

11. *Requests* the Secretary-General to disseminate widely to non-governmental organizations all available information on accreditation procedures, modalities and supportive measures for their participation in the work of the Ad Hoc Committee, as well as the criteria for the financial assistance that is available through the voluntary fund;

12. *Also requests* the Secretary-General to transmit a comprehensive report of the Ad Hoc Committee and to report on the implementation of paragraphs 6, 7, 8 and 11 of the present resolution to the General Assembly at its sixtieth session.

RESOLUTION 59/199

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[383] by a recorded vote of 186 to none, with no abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of

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[383] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Haiti, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Mozambique, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela (Bolivarian Republic of).

Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: None

59/199. Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Recalling article 18 of the Universal Declaration of Human Rights,[384] article 18 of the International Covenant on Civil and Political Rights[385] and paragraph 4 of the United Nations Millennium Declaration,[386]

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Noting the provisions of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, aimed at combating religious intolerance,[387]

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others, and in public or in private,

Reaffirming the call, made eleven years ago in Vienna at the World Conference on Human Rights, for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[388]

Underlining the important role of education in the promotion of tolerance, which involves the acceptance of and respect for diversity, and underlining also that education, in particular at school, should contribute in a meaningful way to the promotion of tolerance and the elimination of discrimination based on religion or belief,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, continue to occur in many parts of the world and threaten the full enjoyment of human rights and fundamental freedoms,

Profoundly concerned at acts and situations of violence and discrimination resulting from religious intolerance that affect many women,

Deeply concerned at the overall rise in intolerance and discrimination on the grounds of religion or belief, including restrictive legislation, administrative regulations and discriminatory registration and the arbitrary application of these and other measures,

Seriously concerned at all attacks upon religious places, sites and shrines, including any deliberate destruction of relics and monuments,

Believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as emphasized also at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

1. *Reaffirms* that freedom of thought, conscience, religion or belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. *Urges* States to ensure that their constitutional and legal systems provide effective guarantees of freedom of thought, conscience, religion or belief, including the provision of effective remedies in cases where the right to freedom of thought, conscience, religion or belief is violated;

3. *Also urges* States to ensure, in particular, that no one within their jurisdiction is, because of their religion or belief, deprived of the right to life, liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained, and to protect their physical integrity and bring to justice all perpetrators of violations of these rights;

4. *Further urges* States, in conformity with international standards of human rights, to take all necessary action to combat hatred, intolerance and acts of violence,

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[384] Resolution 217 A (III).

[385] See resolution 2200 A (XXI), annex.

[386] See resolution 55/2.

[387] See A/CONF.189/12 and Corr.1, chap. I.

[388] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

intimidation and coercion motivated by intolerance based on religion or belief, with particular regard to persons belonging to religious minorities;

5. *Urges* States to devote particular attention to combating all practices motivated by religion or belief which lead, directly or indirectly, to human rights violations and to discrimination against women;

6. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if those limitations are prescribed by law, are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

7. *Urges* States to ensure that all public officials and civil servants, including members of law enforcement bodies, the military and educators, in the course of their official duties, respect different religions and beliefs and do not discriminate on the grounds of religion or belief, and to ensure that all necessary and appropriate education or training is provided;

8. *Calls upon* all States to recognize, as provided for in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

9. *Recognizes with deep concern* the overall rise in instances of intolerance and violence directed against members of many religious communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia;

10. *Further urges* States to exert their utmost efforts, in accordance with their national legislation and in conformity with international human rights standards, to ensure that religious places, sites and shrines are fully respected and protected, and to take additional measures in cases where they are vulnerable to desecration or destruction;

11. *Recognizes* that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief, and that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration, and in this regard invites States, religious bodies and civil society to undertake dialogue at all levels to promote greater tolerance, respect and understanding of freedom of religion or belief and to encourage and promote, through the educational system and by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

12. *Emphasizes* the importance of a continued and strengthened dialogue among religions or beliefs, including as encompassed in the dialogue among civilizations, to promote greater tolerance, respect and mutual understanding;

13. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief,[389] and encourages her continued efforts to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

14. *Urges* all States to cooperate fully with the Special Rapporteur, including by considering favourably her requests to visit their countries so as to enable her to fulfil her mandate even more effectively, welcomes the initiatives of States to collaborate with the Special Rapporteur, and encourages civil society to continue its active collaboration with her;

15. *Urges* States to make all appropriate efforts to encourage those engaged in education to cultivate respect for all religions or beliefs, thereby promoting mutual understanding and tolerance;

16. *Encourages* Governments, when seeking the assistance of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights, to consider, where appropriate, including requests for assistance in the field of the promotion and protection of the right to freedom of thought, conscience, religion or belief;

17. *Welcomes and encourages* the continuing efforts of non-governmental organizations and religious bodies and groups to promote the implementation and dissemination of the Declaration, and further encourages their work in relation to promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

18. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

19. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the necessary resources to enable her to discharge her mandate fully;

20. *Decides* to consider the question of the elimination of all forms of religious intolerance at its sixtieth session under the item entitled "Human rights questions", and requests the Special Rapporteur to submit an interim report to the General Assembly on the question.

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[389] See A/59/366.

RESOLUTION 59/200

Adopted at the 74th plenary meeting, on 20 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.2, para. 145)[390]

59/200. Question of enforced or involuntary disappearances

The General Assembly,

Guided by the purposes and principles set forth in the Charter of the United Nations, the Universal Declaration of Human Rights,[391] the International Covenants on Human Rights[392] and the other relevant international human rights instruments,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons and its resolutions on the question of enforced or involuntary disappearances, in particular resolution 57/215 of 18 December 2002,

Recalling also its resolution 47/133 of 18 December 1992 proclaiming the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States,

Bearing in mind Commission on Human Rights resolution 2004/40 of 19 April 2004,[393]

Deeply concerned, in particular, by the intensification of enforced disappearances, including arrest, detention and abduction, where these are part of or amount to enforced disappearances, in various regions of the world and by the growing number of reports concerning the harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Taking note with interest of the initiatives taken at the national and international levels in order to end impunity,

Acknowledging the fact that acts of enforced disappearance, as defined in the Rome Statute of the International Criminal Court,[394] come within the jurisdiction of the Court as crimes against humanity,

Convinced that further efforts are needed to promote wider awareness of and respect for the Declaration, and taking note in this regard of the report of the Secretary-General,[395]

Taking note of the report of the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights,[396]

1. *Reaffirms* that any act of enforced disappearance is an offence to human dignity and a grave and flagrant violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights[391] and reaffirmed and developed in other international instruments in this field, as well as a violation of the rules of international law; and that no State shall practise, permit or tolerate enforced disappearances as proclaimed in the Declaration on the Protection of All Persons from Enforced Disappearance;

2. *Urges* all Governments to take appropriate legislative or other steps to prevent and suppress the practice of enforced disappearances, in keeping with the Declaration, and to take action to that end at the national and regional levels and in cooperation with the United Nations, including through the provision of technical assistance;

3. *Calls upon* Governments to take steps to ensure that, when a state of emergency is introduced, the protection of human rights is ensured, in particular with regard to the prevention of enforced disappearances;

4. *Reminds* Governments that impunity with regard to enforced disappearances contributes to the perpetuation of this phenomenon and constitutes one of the obstacles to the elucidation of its manifestations, and in this respect also reminds them of the need to ensure that their competent authorities conduct prompt and impartial inquiries in all circumstances in which there is a reason to believe that an enforced disappearance has occurred in territory under their jurisdiction, and that, if allegations are confirmed, perpetrators should be prosecuted;

5. *Expresses its appreciation* to those Governments that are investigating, are cooperating at the international and bilateral levels, have developed or are developing appropriate mechanisms to investigate any cases of enforced disappearances

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[390] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Andorra, Angola, Argentina, Armenia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cameroon, Canada, Central African Republic, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guinea-Bissau, Haiti, Hungary, Iceland, Iraq, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mauritius, Mexico, Monaco, Netherlands, New Zealand, Niger, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of).

[391] Resolution 217 A (III).

[392] Resolution 2200 A (XXI), annex.

[393] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[394] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[395] A/59/341.

[396] E/CN.4/2004/58.

that are brought to their attention and to prevent any such occurrences, and urges all the Governments concerned to expand their efforts in this area;

6. *Once again urges* the Governments concerned:

(*a*) To take steps to protect witnesses of enforced disappearances, human rights defenders acting against enforced disappearances, and the lawyers and families of disappeared persons against any intimidation or ill-treatment to which they may be subjected;

(*b*) To continue their efforts to elucidate the fate of disappeared persons;

(*c*) To make provision in their legal systems for machinery for victims of enforced or involuntary disappearances or their families to seek fair and adequate reparation;

7. *Reaffirms* that all persons deprived of liberty must be released in a manner permitting reliable verification that they have actually been released and, further, have been released in conditions in which their physical integrity and ability to exercise their rights are assured;

8. *Encourages* States, as some have already done, to provide concrete information on measures taken to give effect to the Declaration, as well as obstacles encountered;

9. *Requests* all States to consider the possibility of disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in local languages;

10. *Notes* the action taken by non-governmental organizations to encourage implementation of the Declaration, and invites them to continue to facilitate its dissemination;

11. *Stresses* the importance of the work of the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights, and encourages it in the execution of its mandate to continue to promote communication between the families of disappeared persons and the Governments concerned, in particular when ordinary channels have failed, with a view to ensuring that sufficiently documented and clearly identified individual cases are investigated and to ascertaining whether such information falls under its mandate and contains the required elements;

12. *Invites* the Working Group to continue to seek the views and comments of all concerned, including Member States, in preparing its reports;

13. *Also invites* the Working Group to identify obstacles to the realization of the provisions of the Declaration, to recommend ways of overcoming those obstacles and, in this regard, to continue a dialogue with Governments and relevant intergovernmental and non-governmental organizations;

14. *Encourages* the Working Group to continue to consider the question of impunity, in the light of the relevant provisions of the Declaration;

15. *Requests* the Working Group to pay the utmost attention to cases of children subjected to enforced disappearance and children of disappeared persons and to cooperate closely with the Governments concerned to search for and identify those children;

16. *Appeals* to the Governments concerned, in particular those that have not yet replied to the communications transmitted by the Working Group, to cooperate fully with it and, in particular, to reply promptly to its requests for information so that, while respecting its working methods based on discretion, it may perform its strictly humanitarian role;

17. *Encourages* the Governments concerned to give serious consideration to requests for visits to their countries by the Working Group so as to enable the Group to fulfil its mandate even more effectively;

18. *Expresses its profound thanks* to the many Governments that have cooperated with the Working Group and replied to its requests for information and to the Governments that have invited the Group to visit their countries, requests them to give all necessary attention to the recommendations of the Group, and invites them to inform the Group of any action they take on those recommendations;

19. *Calls upon* the Commission on Human Rights to continue to study this question as a matter of priority and to take any steps it may deem necessary to the pursuit of the task of the Working Group and to the follow-up to its recommendations when it considers the report to be submitted by the Group to the Commission at its sixty-first session;

20. *Renews its requests* to the Secretary-General to continue to provide the Working Group with all of the facilities it requires to perform its functions, especially for carrying out missions and following them up;

21. *Recalls* Economic and Social Council decision 2001/221 of 4 June 2001, in which the Council endorsed the decision of the Commission on Human Rights to create an intersessional open-ended working group, with the mandate to prepare a draft legally binding normative instrument for the protection of all persons from enforced disappearance;

22. *Welcomes* the decision of the Commission on Human Rights to convene the intersessional working group before its sixty-first session, with a view to the prompt completion of its work and the submission of its report to the Commission at its sixty-first session;

23. *Requests* the Secretary-General to keep it informed of the steps he takes to secure the widespread dissemination and promotion of the Declaration;

24. *Also requests* the Secretary-General to submit to it at its sixty-first session a report on the steps taken to implement the present resolution;

25. *Decides* to consider the question of enforced disappearances, in particular the implementation of the Declaration, at its sixtieth session, under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

RESOLUTION 59/201

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[397] by a recorded vote of 172 to none, with 15 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Yemen, Zambia

Against: None

Abstaining: Belarus, Bhutan, China, Cuba, Democratic People's Republic of Korea, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Myanmar, Saudi Arabia, Syrian Arab Republic, Turkmenistan, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe

59/201. Enhancing the role of regional, subregional and other organizations and arrangements in promoting and consolidating democracy

The General Assembly,

Reaffirming the purposes and principles set forth in the Charter of the United Nations,

Recalling its resolution 55/96 of 4 December 2000 and all relevant resolutions of the Commission on Human Rights, in particular resolutions 1999/57 of 27 April 1999,[398] 2000/47 of 25 April 2000,[399] 2001/41 of 23 April 2001,[400] 2002/46 of 23 April 2002,[401] 2003/36 of 23 April 2003[402] and 2004/30 of 19 April 2004,[403]

Recalling also that all peoples have the right to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development,

Reaffirming its resolve, expressed, inter alia, in the United Nations Millennium Declaration,[404] to implement the principles and practices of democracy, and recognizing the diverse nature of the community of the world's democracies,

1. *Declares* that the essential elements of democracy include respect for human rights and fundamental freedoms, inter alia, freedom of association and peaceful assembly and of expression and opinion, and the right to take part in the conduct of public affairs, directly or through freely chosen representatives, to vote and to be elected at genuine periodic free elections by universal and equal suffrage and by secret ballot guaranteeing the free expression of the will of the people, as well as a pluralistic system of political parties and organizations, respect for the rule of law, the separation of powers, the independence of the judiciary, transparency and accountability in public administration, and free, independent and pluralistic media;

2. *Reaffirms* that the promotion and protection of all human rights is a basic prerequisite for the existence of a

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[397] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, India, Iraq, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Mongolia, Netherlands, New Zealand, Nigeria, Norway, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay.

[398] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[399] Ibid., *2000, Supplement No. 3* and corrigendum (E/2000/23 and Corr.1), chap. II, sect. A.

[400] Ibid., *2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[401] Ibid., *2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

[402] Ibid., *2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[403] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[404] See resolution 55/2.

democratic society, and recognizes the importance of the continuous development and strengthening of the United Nations human rights mechanisms for the consolidation of democracy;

3. *Recognizes* the importance of all actions taken at the regional and subregional levels that are aimed at facilitating the establishment, development and consolidation of democratic institutions, based on democratic values and principles and capable of responding to the specific needs of the countries in each region;

4. *Acknowledges* the importance of better awareness of democratic values and principles in all regions and for all people;

5. *Reaffirms* that democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing, that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives and, in that context, that the promotion and protection of human rights and fundamental freedoms at the national, regional and international levels should be universal and conducted without conditions attached; the international community should support the strengthening and promoting of democracy, development and respect for human rights and fundamental freedoms in the entire world;

6. *Acknowledges* that democracy contributes substantially to preventing violent conflict, to accelerating reconciliation and reconstruction in post-conflict peacebuilding and, in peacetime, to resolving disputes that may impede economic and social progress;

7. *Recognizes* the need for Member States to pay further special attention and contribute to democratic institution-building by including relevant objectives to this effect in the mandates of peacemaking, peacekeeping and post-conflict peacebuilding operations and by providing adequate resources in that regard;

8. *Invites* intergovernmental regional, subregional and other organizations and arrangements, as well as non-governmental organizations, to engage actively in work at the local, national, subregional and regional levels for the constant promotion and consolidation of democracy and to initiate exchanges with the United Nations system on their experiences, inter alia, by:

(*a*) Identifying and disseminating best practices and experiences at the regional, subregional and cross-regional levels in promoting and protecting democratic processes;

(*b*) Establishing and supporting regional, subregional and national civic education programmes that provide access to information on democratic governance and stimulate dialogue on the functioning of democracy;

(*c*) Encouraging the study, in schools and universities, of democracy, human rights, good governance and the functioning of public administration, political institutions and civil society organizations;

(*d*) Elaborating and widely distributing reports, assessments, training material, handbooks, case studies and documentation on alternative types of democratic constitutions, electoral systems and administration so as to assist populations in making more informed choices;

(*e*) Encouraging the use of democratic consultative mechanisms in disputes as an opportunity for the parties involved to advance their interests within institutional frameworks;

(*f*) Working with the focal point for democracy of the Office of the United Nations High Commissioner for Human Rights;

9. *Invites* States members of intergovernmental regional organizations and arrangements to include or reinforce the provisions of the constitutive acts of the organizations and arrangements that are aimed at promoting democratic values and principles and protecting and consolidating democracy in their respective societies;

10. *Welcomes* the adoption by various regional, subregional and other organizations and arrangements of institutional rules designed to prevent situations that threaten democratic institutions;

11. *Invites* intergovernmental regional organizations and arrangements to institutionalize dialogue among themselves on joint actions to promote and consolidate democracy and democratic practices in all areas;

12. *Encourages* Member States and intergovernmental regional and cross-regional organizations and arrangements, as well as non-governmental organizations, to initiate networks and partnerships with a view to assisting the Governments and civil society in their respective regions in disseminating knowledge and information about the role of democratic institutions and mechanisms in meeting the political, economic, social and cultural challenges in their respective societies;

13. *Urges* the continuation and expansion of activities carried out by the United Nations system, intergovernmental organizations and Member States to promote and consolidate democracy within the framework of international cooperation;

14. *Invites* the United Nations system to identify, develop and coordinate effective policies of assistance in the field of democracy and, in this context, to support programmes of technical assistance to States, upon their request, aimed at:

(*a*) Developing a competent, independent and impartial judiciary and accountable government institutions;

(*b*) Strengthening political party systems, free and independent media and civil society organizations;

(*c*) Fostering a democratic culture;

15. *Calls upon* the Office of the United Nations High Commissioner for Human Rights to stimulate dialogue and interaction within the United Nations system and between the United Nations system and interested intergovernmental regional, subregional and other organizations and arrangements on the ways and means of promoting democratic values and principles, on the basis of the present resolution and other relevant resolutions of the General Assembly and of the Commission on Human Rights, and, to this end, to invite, inter alia, the Department of Political Affairs of the Secretariat, including its Electoral Assistance Division, and the Department of Economic and Social Affairs of the Secretariat, the United Nations Development Programme, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization and regional organizations to inform the Commission on Human Rights, at its sixty-first session, of action taken to promote and consolidate democracy;

16. *Requests* the Secretary-General to bring the present resolution to the attention of Member States.

RESOLUTION 59/202

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[405] by a recorded vote of 182 to 3, with no abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Palau, United States of America

Abstaining: None

59/202. The right to food

The General Assembly,

Recalling its resolution 58/186 of 22 December 2003, as well as all Commission on Human Rights resolutions in this regard, in particular resolution 2004/19 of 16 April 2004,[406]

Recalling also the Universal Declaration of Human Rights,[407] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition,[408] and the United Nations Millennium Declaration,[409]

Recalling further the provisions of the International Covenant on Economic, Social and Cultural Rights,[410] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action[411] and the

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[405] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Andorra, Angola, Antigua and Barbuda, Armenia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Finland, France, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Kazakhstan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mexico, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovenia, Somalia, South Africa, Spain, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

[406] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[407] Resolution 217 A (III).

[408] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[409] See resolution 55/2.

[410] See resolution 2200 A (XXI), annex.

[411] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13–17 November 1996* (WFS 96/REP), part one, appendix.

Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[412]

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming also that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing that the problems of hunger and food insecurity have global dimensions and that they are likely to persist and even to increase dramatically in some regions unless urgent, determined and concerted action is taken, given the anticipated increase in the world's population and the stress on natural resources,

Expressing its concern about the adverse impact on the realization of the right to food caused by many humanitarian emergencies, including plagues and natural disasters,

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain their physical and mental capacities;

3. *Considers it intolerable* that there are about 842 million undernourished people in the world, that every five seconds a child under the age of 5 dies from hunger-related diseases and that more than 2 billion people throughout the world suffer from "hidden hunger" or micronutrient malnutrition when, according to the Food and Agriculture Organization of the United Nations, the world produces more than enough food to feed its entire population;

4. *Expresses its concern* that women are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases, and that it is estimated that almost twice as many women as men suffer from malnutrition;

5. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

6. *Requests* all States and private actors, as well as international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

7. *Encourages* all States to take action to address discrimination against women, particularly where it contributes to the malnutrition of women and girls, including measures to ensure the realization of the right to food and ensuring that women have equal access to resources, including income, land and water, to enable them to feed themselves;

8. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

9. *Welcomes* the meeting of world leaders for action against hunger and poverty, convened by the Presidents of Brazil, Chile and France and the Prime Minister of Spain, with the support of the Secretary-General, and the resulting New York Declaration on Action against Hunger and Poverty, which has been supported by one hundred and ten countries to date, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

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[412] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10–13 June 2002*, part one, appendix; see also A/57/499, annex.

10. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, and invites once again all international financial and developmental institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security[411] and the United Nations Millennium Declaration;[409]

11. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

12. *Takes note* of the interim report of the Special Rapporteur of the Commission on Human Rights on the right to food,[413] and commends the Special Rapporteur for his valuable work in the promotion of the right to food;

13. *Supports* the realization of the mandate of the Special Rapporteur as extended by the Commission on Human Rights in its resolution 2003/25 of 22 April 2003;[414]

14. *Expresses its appreciation* to the Special Rapporteur for his effective contribution to the medium-term review of the implementation of the Rome Declaration on World Food Security and the World Food Summit Plan of Action through the submission to the United Nations High Commissioner for Human Rights of his recommendations on all aspects of the right to food, and his participation in and contribution to the proceedings of that event;

15. *Encourages* the Special Rapporteur to continue mainstreaming a gender perspective in the activities relating to his mandate;

16. *Requests* the Secretary-General and the High Commissioner to provide all the necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;

17. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its general comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights), in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;[415]

18. *Takes note* of general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant), in which the Committee noted, inter alia, the importance of ensuring sustainable water resources for human consumption and agriculture in realization of the right to adequate food;[416]

19. *Welcomes* the adoption by the Intergovernmental Working Group, as mandated by the Council of the Food and Agriculture Organization of the United Nations, of a set of voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security, as well as the endorsement by the Committee on World Food Security of the voluntary guidelines as submitted and its decision to transmit them to the Council for final adoption, and in this regard encourages States members of the Council to adopt the voluntary guidelines;

20. *Also welcomes* the continued cooperation of the High Commissioner, the Committee on Economic, Social and Cultural Rights and the Special Rapporteur, and encourages them to continue their cooperation in this regard;

21. *Requests* the Special Rapporteur to submit a comprehensive report to the Commission on Human Rights at its sixty-first session and an interim report to the General Assembly at its sixtieth session on the implementation of the present resolution;

22. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on ways and means of realizing the right to food;

23. *Decides* to continue the consideration of the question at its sixtieth session under the item entitled "Human rights questions".

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[413] See A/59/385.

[414] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[415] Ibid., *2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V, para. 4.

[416] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.

RESOLUTION 59/203

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[417] by a recorded vote of 122 to 3, with 61 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Palau, United States of America

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Norway, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan

59/203. Respect for the right to universal freedom of travel and the vital importance of family reunification

The General Assembly,

Recalling its resolution 57/227 of 18 December 2002,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights,[418] as well as article 12 of the International Covenant on Civil and Political Rights,[419]

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development,[420] family reunification of documented migrants is an important factor in international migration and that remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

Noting that while some positive developments occurred during the past two years in the accomplishment of the objectives highlighted in resolution 57/227, in particular the commitment made on 9 June 2004 at the summit meeting of the Group of Eight, held at Sea Island, United States of America, to facilitate the flow of remittances across international borders to help families, in certain cases it has been reported that measures have been adopted that have increased the restrictions imposed on documented migrants in relation to family reunification and the possibility of sending remittances to their relatives in the country of origin,

Recalling that the family is the basic unit of society and, as such, should be strengthened, and that it is entitled to receive comprehensive protection and support,

1. *Once again calls upon* all States to guarantee the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

2. *Reaffirms* that all Governments, in particular those of receiving countries, must recognize the vital importance of family reunification and promote its incorporation into national legislation in order to ensure protection of the unity of families of documented migrants;

3. *Calls upon* all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to relatives in the country of origin;

4. *Also calls upon* all States to refrain from enacting, and to repeal if it already exists, legislation intended as a coercive measure that discriminates against individuals or groups of legal migrants by adversely affecting family reunification and the right to send financial remittances to relatives in the country of origin;

5. *Decides* to continue its consideration of the question at its sixty-first session under the item entitled "Human rights questions".

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[417] The draft resolution recommended in the report was sponsored in the Committee by: Cuba, Ecuador, El Salvador, Jamaica, Nigeria and Sudan.

[418] Resolution 217 A (III).

[419] See resolution 2200 A (XXI), annex.

[420] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

RESOLUTION 59/204

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.2, para. 145),[421] by a recorded vote of 118 to 55, with 13 abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Brazil, Chile, Nauru, Paraguay, Peru, Singapore, Solomon Islands, Thailand, Tonga, Tuvalu, Uruguay, Vanuatu

59/204. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character

The General Assembly,

Recalling that, in accordance with Article 56 of the Charter of the United Nations, all Member States have pledged themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55, including universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling also the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that the promotion and protection of all human rights and fundamental freedoms must be considered a priority objective of the United Nations in accordance with its purposes and principles, in particular the purpose of international cooperation, and that, within the framework of these purposes and principles, the promotion and protection of all human rights is a legitimate concern of the international community,

Considering the major changes taking place on the international scene and the aspirations of all peoples to an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world, and should continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights,

Reaffirming that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations and that human rights and fundamental freedoms are the birthright of all human beings, the promotion and protection of such rights and freedoms being the first responsibility of Governments,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further the various Articles of the Charter setting out the respective powers and functions of the General Assembly, the Security Council and the Economic and Social Council, as the paramount framework for the achievement of the purposes of the United Nations,

Reaffirming the commitment of all States to fulfil their obligations under other important instruments of international law, in particular those of international human rights law and international humanitarian law,

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[421] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Belarus, Burkina Faso, Cambodia, Cameroon, China, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Eritrea, Ethiopia, Grenada, Guinea-Bissau, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malawi, Myanmar, Nigeria, Pakistan, Saint Lucia, Sudan, Suriname, Swaziland, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe.

Bearing in mind that, in accordance with Article 103 of the Charter, in the event of a conflict between the obligations of the Members of the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter shall prevail,

Recalling all its previous resolutions on the question, including resolution 58/188 of 22 December 2003,

1. *Reiterates* the solemn commitment of all States to enhance international cooperation in the field of human rights and in the solution to international problems of a humanitarian character in full compliance with the Charter of the United Nations, inter alia, by the strict observance of all the purposes and principles set forth in Articles 1 and 2 thereof;

2. *Stresses* the vital role of the work of the United Nations and regional arrangements, acting consistently with the purposes and principles enshrined in the Charter, in promoting and encouraging respect for human rights and fundamental freedoms, as well as in solving international problems of a humanitarian character, and affirms that all States, in these activities, must fully comply with the principles set forth in Article 2 of the Charter, in particular respecting the sovereign equality of all States and refraining from the threat or use of force against the territorial integrity or political independence of any State, or acting in any other manner inconsistent with the purposes of the United Nations;

3. *Reaffirms* that the United Nations shall promote universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion;

4. *Reaffirms also* that the responsibility for managing worldwide economic and social development, the promotion and protection of human rights and threats to international peace and security must be shared among the nations of the world and should be exercised multilaterally and that, as the most universal and most representative organization in the world, the United Nations must play the central role;

5. *Calls upon* Member States to refrain from enacting or enforcing unilateral coercive measures as tools of political, military or economic pressure against any country, in particular against developing countries, which would prevent those countries from exercising their right to decide of their own free will their own political, economic and social systems;

6. *Calls upon* all States to cooperate fully, through constructive dialogue, to ensure the promotion and protection of all human rights for all and in promoting peaceful solutions to international problems of a humanitarian character and, in their actions towards that purpose, to comply strictly with the principles and norms of international law, inter alia, by fully respecting international human rights law and international humanitarian law;

7. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, organs, bodies and other components of the United Nations system and intergovernmental and non-governmental organizations, and to disseminate it as widely as possible;

8. *Decides* to consider the question at its sixty-first session under the item entitled "Human rights questions".

RESOLUTION 59/205

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.3, para. 60),[422] by a recorded vote of 71 to 54, with 55 abstentions, as follows:

In favour: Albania, Andorra, Australia, Austria, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Grenada, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tuvalu, United Kingdom of Great Britain and Northern Ireland, United States of America

Against: Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Chad, China, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Morocco, Myanmar, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Togo, Tunisia, Turkmenistan, Ukraine, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Abstaining: Angola, Antigua and Barbuda, Argentina, Bahamas, Barbados, Benin, Bhutan, Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Colombia, Côte d'Ivoire, Dominica, Dominican Republic, Ecuador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea-Bissau, Guyana, Honduras, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Mauritius, Mozambique, Namibia, Nepal, Philippines, Republic of Korea, Rwanda, Saint Lucia, Sao Tome and Principe, Sierra Leone, Singapore, Suriname, Swaziland, Thailand, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Zambia

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[422] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tuvalu, United Kingdom of Great Britain and Northern Ireland and United States of America.

59/205. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[423] the International Covenants on Human Rights[424] and other international human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that the Islamic Republic of Iran is a party to the International Covenant on Civil and Political Rights,[424] the International Covenant on Economic, Social and Cultural Rights,[424] the International Convention on the Elimination of All Forms of Racial Discrimination[425] and the Convention on the Rights of the Child,[426]

Recalling its previous resolutions on the subject, the most recent of which is resolution 58/195 of 22 December 2003, and recalling also Commission on Human Rights resolution 2001/17 of 20 April 2001,[427]

Noting the commitment made by the Government of the Islamic Republic of Iran to strengthen respect for human rights in the country and to promote the rule of law,

1. *Welcomes:*

(*a*) The open invitation extended by the Government of the Islamic Republic of Iran to all human rights thematic monitoring mechanisms in April 2002;

(*b*) The visit of the Working Group on Arbitrary Detention of the Commission on Human Rights to the Islamic Republic of Iran in February 2003 and its subsequent report;[428]

(*c*) The visit of the Special Rapporteur of the Commission on Human Rights on the promotion and protection of the right to freedom of opinion and expression to the Islamic Republic of Iran in November 2003 and his subsequent report;[429]

(*d*) The visit of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants to the Islamic Republic of Iran in February 2004;

(*e*) The recommendation by the head of the judiciary of the Islamic Republic of Iran to judges in December 2002 that they choose alternative punishment in cases where the sentence of stoning would otherwise be imposed;

(*f*) The announcement by the head of the judiciary in April 2004 of the ban on torture and the subsequent passage of related legislation by the Parliament, which was approved by the Guardian Council in May 2004;

(*g*) The efforts of the elected Government to foster the growth of civil society;

(*h*) The human rights dialogues between the Islamic Republic of Iran and a number of countries;

(*i*) The cooperation with United Nations agencies in developing programmes in the field of human rights, good governance and the rule of law;

2. *Expresses its serious concern* at:

(*a*) The continuing violations of human rights in the Islamic Republic of Iran;

(*b*) The worsening situation with regard to freedom of opinion and expression and freedom of the media, especially the increased persecution for the peaceful expression of political views, including arbitrary arrest and detention without charge or trial; crackdowns by the judiciary and security forces against journalists, parliamentarians, students, clerics and academics; the unjustified closure of newspapers and blocking of Internet sites; the targeted disqualification of large numbers of prospective candidates in the Majlis elections as well as the intimidation and harassment of opposition activists in the run-up to the elections held in February 2004;

(*c*) The continuing executions in the absence of respect for internationally recognized safeguards, and in particular deplores the execution of persons below 18 years of age, contrary to the obligations of the Islamic Republic of Iran under article 37 of the Convention on the Rights of the Child[426] and article 6 of the International Covenant on Civil and Political Rights,[424] as well as public executions;

(*d*) The use of torture and other forms of cruel, inhuman and degrading punishment, in particular the practice of amputation and flogging, noting in this context the rejection by the Guardian Council in August 2003 of the proposal of the elected parliament to accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;[430]

(*e*) The continued restrictions on free assembly and the forcible dissolution of political parties;

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[423] Resolution 217 A (III).

[424] Resolution 2200 A (XXI), annex.

[425] Resolution 2106 A (XX), annex.

[426] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[427] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[428] E/CN.4/2004/3/Add.2 and Corr.1.

[429] E/CN.4/2004/62/Add.2.

[430] United Nations, *Treaty Series*, vol. 1465, No. 24841.

(*f*) The failure to comply fully with international standards in the administration of justice, the absence of due process of law, the refusal to provide fair and public hearings and right to counsel, the use of national security laws to deny the rights of the individual and the lack of respect for internationally recognized legal safeguards, inter alia, with respect to persons belonging to religious minorities, officially recognized or otherwise;

(*g*) The systemic discrimination against women and girls in law and in practice, despite some minor legislative improvements, and the refusal of the Guardian Council to take steps to address this systematic discrimination, noting in this context its rejection, in August 2003, of the proposal of the elected parliament to accede to the Convention on the Elimination of All Forms of Discrimination against Women;[431]

(*h*) The continuing discrimination against persons belonging to minorities, including Christians, Jews and Sunnis, and the increased discrimination against the Baha'is, including cases of arbitrary arrest and detention, the denial of free worship or of publicly carrying out communal affairs, the disregard of property rights, the destruction of sites of religious importance, the suspension of social, educational and community-related activities and the denial of access to higher education, employment, pensions and other benefits;

(*i*) The continuing persecution, including through the systematic and arbitrary use of prolonged solitary confinement, and arbitrary sentencing to prison of human rights defenders, political opponents, religious dissenters and reformists;

(*j*) The postponement of the visit of the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights to the Islamic Republic of Iran;

3. *Calls upon* the Government of the Islamic Republic of Iran:

(*a*) To abide by its obligations freely undertaken under the International Covenants on Human Rights[424] and other international human rights instruments, including provisions relating to freedom of opinion and expression, the use of torture and other forms of cruel, inhuman and degrading treatment or punishment, the promotion and protection of the human rights of women and girls and the rights of the child, and to continue its efforts to consolidate respect for human rights and the rule of law;

(*b*) To implement the recommendations of the Working Group on Arbitrary Detention, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief;

(*c*) To cooperate with United Nations mechanisms, including by setting a date for a visit by the Working Group on Enforced or Involuntary Disappearances, and to respond fully to their recommendations;

(*d*) To implement fully the ban on torture, announced in April 2004 by the head of the judiciary, and the related parliamentary legislation of May 2004;

(*e*) To expedite judicial reform, to guarantee the dignity of the individual and to ensure the full application of due process of law and fair and transparent procedures by an independent and impartial judiciary, and in this context to ensure respect for the rights of the defence and the equity of verdicts in all instances, including for members of religious minority groups, officially recognized or otherwise;

(*f*) To appoint an impartial prosecutor and to expedite the creation of offices of the Prosecutor in all provinces, in keeping with the decision taken in November 2002 for their re-establishment;

(*g*) To eliminate all forms of discrimination based on religious grounds or against persons belonging to minorities, including the Baha'is, Christians, Jews and Sunnis, and to address this matter in an open manner, with the full participation of the minorities themselves, and to ensure respect for the freedom of religion or belief of all persons;

(*h*) To end amputation and flogging and all other forms of punishment that are cruel, inhuman or degrading;

(*i*) To abolish the punishment of execution by stoning and, in the meantime, to end the practice of stoning, as recommended by the head of the judiciary;

(*j*) To comply with its obligations under article 37 of the Convention on the Rights of the Child and article 6 of the International Covenant on Civil and Political Rights not to impose the sentence of death for offences committed by persons below 18 years of age;

(*k*) To vigorously pursue penitentiary reform;

4. *Encourages* the thematic mechanisms of the Commission on Human Rights, including the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on freedom of religion or belief and the Special Representative of the Secretary-General on the situation of human rights defenders to visit the Islamic Republic of Iran, and encourages the Government of the Islamic Republic of Iran to cooperate with these special mechanisms and to respond fully to their subsequent recommendations;

5. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its sixtieth session, under the item entitled "Human rights questions", in

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[431] Ibid., vol. 1249, No. 20378.

the light of additional elements provided by the Commission on Human Rights.

RESOLUTION 59/206

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.3, para. 60),[432] by a recorded vote of 69 to 47, with 63 abstentions, as follows:

In favour: Albania, Andorra, Argentina, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, United Kingdom of Great Britain and Northern Ireland, United States of America

Against: Algeria, Azerbaijan, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Chad, China, Comoros, Cuba, Democratic People's Republic of Korea, Egypt, Gambia, India, Indonesia, Iran (Islamic Republic of), Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Morocco, Myanmar, Nepal, Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tajikistan, Tunisia, Turkmenistan, Ukraine, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Abstaining: Angola, Antigua and Barbuda, Armenia, Bahamas, Barbados, Belize, Benin, Bhutan, Botswana, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Colombia, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominica, Ecuador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Ghana, Grenada, Guinea, Guyana, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Mali, Mauritius, Mozambique, Namibia, Papua New Guinea, Philippines, Republic of Moldova, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tuvalu, Uganda, United Republic of Tanzania, Uruguay, Vanuatu, Zambia

59/206. Situation of human rights in Turkmenistan

The General Assembly,

Reaffirming that all States Members of the United Nations have the obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations that they have undertaken under the various international instruments in this field,

Recalling its resolution 58/194 of 22 December 2003,

1. *Welcomes:*

(*a*) The limited increase in the ability of members of certain religious minority groups, including members of the Baha'i faith, the Baptist church, the Hare Krishna movement and the Seventh Day Adventist church, to practise their religion;

(*b*) The release in June 2004 of a number of Jehovah's Witnesses who had made conscientious objections to undertaking military service, but notes with concern that other Jehovah's Witnesses continue to be jailed on the same charge;

(*c*) The comments of the Government of Turkmenistan in May 2004 that interested representatives of the international community were welcome to visit Turkmen prisons, and notes with satisfaction that the Government has begun preliminary discussions with representatives of the International Committee of the Red Cross regarding prison access;

(*d*) The fact that the Personal Envoy of the Chairman-in-Office of the Organization for Security and Cooperation in Europe for Participating States in Central Asia has been given the opportunity for further dialogue with the Government of Turkmenistan, and expresses the hope that a constructive dialogue on human rights issues is to be continued soon;

(*e*) The submission of the national report under the International Convention on the Elimination of All Forms of Racial Discrimination[433] to the Office of the United Nations High Commissioner for Human Rights and the recent submission of the report under the Convention on the Elimination of All Forms of Discrimination against Women[434] to the Division for the Advancement of Women of the Department of Economic and Social Affairs of the Secretariat and the announcement by the Government of Turkmenistan that it intends to submit the reports due under the Convention on the Rights of the Child[435] by the end of 2004;

(*f*) The amendment of 2 November 2004 to the Criminal Code of Turkmenistan rescinding article 223/1, which stipulated criminal penalties for unregistered activities of public associations, including non-governmental organizations;

(*g*) The invitation by the Government of Turkmenistan to the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe, which was extended on 16 November 2004, to visit the country by the end of 2004;

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[432] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America.

[433] Resolution 2106 A (XX), annex.

[434] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[435] Ibid., vol. 1577, No. 27531.

2. *Expresses its grave concern* at the continuing and serious human rights violations occurring in Turkmenistan, in particular:

(*a*) The persistence of a governmental policy based on the repression of all political opposition activities;

(*b*) The continuing abuse of the legal system through arbitrary detentions, imprisonment and surveillance of persons who try to exercise their freedom of expression, assembly and association, and by harassment of their families;

(*c*) Further restrictions on the freedom of expression and opinion, including the loss of local retransmissions of Russian language programmes on Radio Mayak, and serious harassment endured by local correspondents and collaborators of Radio Liberty;

(*d*) Continued restrictions on the exercise of the freedom of thought, conscience, religion and belief;

(*e*) Continued discrimination by the Government of Turkmenistan against ethnic minorities in the fields of education and employment and by forced displacements, despite assurances by the Government that it will stop this discrimination;

(*f*) Constraints faced by civil society organizations, including the slow progress in the registration of non-governmental organizations;

3. *Regrets* the decision of the Government of Turkmenistan not to renew the accreditation for the Head of the Centre of the Organization for Security and Cooperation in Europe at Ashgabat, but hopes that the Turkmen authorities will cooperate fully with her successor;

4. *Calls upon* the Government of Turkmenistan:

(*a*) To ensure full respect for all human rights and fundamental freedoms and, in this regard, to implement fully the measures set out in Commission on Human Rights resolutions 2003/11 of 16 April 2003[436] and 2004/12 of 15 April 2004;[437]

(*b*) To work closely with the Office of the United Nations High Commissioner for Human Rights with regard to the areas of concern and to cooperate fully with all the mechanisms of the Commission on Human Rights and all the relevant United Nations treaty bodies;

(*c*) To implement fully the recommendations outlined in the report of the Rapporteur of the Moscow Mechanism of the Organization for Security and Cooperation in Europe and to work constructively with the various institutions of the Organization, in particular following the visit of the Personal Envoy of the Chairman-in-Office of the Organization for Participating States in Central Asia, to work towards implementation of those recommendations and to make the necessary arrangements to facilitate fully a visit by the High Commissioner on National Minorities of the Organization by the end of 2004;

(*d*) To release immediately and unconditionally all prisoners of conscience;

(*e*) To give real substance to the May 2004 offer of the Government of Turkmenistan for interested representatives of the international community to visit Turkmen prisons by providing appropriate independent bodies, including the International Committee of the Red Cross, with full access to all places of detention in accordance with the usual modalities for those organizations and ensuring that lawyers and relatives have full and repeated access to all those in detention, including those convicted of involvement in the attempted coup d'état of 25 November 2002;

(*f*) To ensure that the forthcoming parliamentary elections will be held consistent with the commitments of the Organization for Security and Cooperation in Europe and other international standards for democratic elections;

(*g*) To remove the remaining restrictions on the activities of public associations, including non-governmental organizations, and to enable those organizations, in particular human rights organizations, and other civil society actors to carry out their activities without hindrance, building upon the amendment of 2 November 2004 to the Criminal Code of Turkmenistan abolishing criminal penalties for unregistered activities of public associations;

5. *Requests* the Secretary-General to submit a report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/207

Adopted at the 74th plenary meeting, on 20 December 2004, on the recommendation of the Committee (A/59/503/Add.3, para. 60),[438] by a recorded vote of 76 to 2, with 100 abstentions, as follows:

In favour: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala,

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[436] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[437] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[438] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey and United Kingdom of Great Britain and Northern Ireland.

Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Against: Rwanda, Uganda

Abstaining: Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Yemen, Zambia, Zimbabwe

59/207. Situation of human rights in the Democratic Republic of the Congo

The General Assembly,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms, and the duty to fulfil the obligations they have undertaken under the various instruments in this field,

Noting that the Democratic Republic of the Congo is a party to several international and regional human rights instruments and to several instruments pertaining to international humanitarian law,

Recalling all its previous resolutions, as well as those of the Commission on Human Rights, on the situation of human rights in the Democratic Republic of the Congo,

Noting the special report of the Secretary-General on the events in Ituri between January 2002 and December 2003 that was drafted by the Human Rights and Child Protection Sections of the United Nations Organization Mission in the Democratic Republic of the Congo,[439]

Recalling Security Council resolutions 1493 (2003) of 28 July 2003, 1522 (2004) of 15 January 2004, 1533 (2004) of 12 March 2004 and 1565 (2004) of 1 October 2004,

1. *Welcomes:*

(*a*) The nomination of the independent expert on the situation of human rights in the Democratic Republic of the Congo in July 2004, as well as his visit to the Democratic Republic of the Congo in August 2004;

(*b*) In particular the extended mandate of the United Nations Organization Mission in the Democratic Republic of the Congo regarding the promotion and protection of human rights in accordance with Security Council resolution 1565 (2004), and expresses its support for the work of the Special Representative of the Secretary-General for the Democratic Republic of the Congo and for the Mission;

(*c*) The work accomplished by the human rights field office in the Democratic Republic of the Congo, and encourages the office to pursue and enhance its cooperation with the relevant agencies of the United Nations and the Mission in the fulfilment of its mandate;

(*d*) The measures taken by the transitional institutions in order to implement the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo signed in Pretoria on 17 December 2002 and to restore the authority of the State, such as the appointment of provincial governors, the establishment of the Independent Electoral Commission, the appointment of the High Command of the Integrated National Police and the setting up of the Supreme Defence Council;

(*e*) The adoption of the Declaration of Principles by the Heads of State who participated in the International Conference on Peace, Security, Democracy and Development in the Great Lakes Region, which took place in Dar es Salaam, United Republic of Tanzania, on 19 and 20 November 2004;

2. *Calls upon* the United Nations High Commissioner for Human Rights to keep it informed of the consultations between her Office and the Secretary-General concerning the ways in which to assist the transitional Government of the Democratic Republic of the Congo in tackling the problem of impunity;

3. *Takes note* of the decision by the Office of the Prosecutor of the International Criminal Court, based upon the referral of the Democratic Republic of the Congo, to commence an investigation into crimes allegedly committed in the territory of the Democratic Republic of the Congo since the entry into force of the Rome Statute of the International Criminal Court[440] on 1 July 2002;

4. *Condemns* the continuing violations of human rights and international humanitarian law in the Democratic Republic

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[439] See S/2004/573.

[440] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

of the Congo, while remaining concerned about the prevalence of grave violations and the rise in ethnic tensions throughout the Democratic Republic of the Congo and, in particular, in Ituri, North and South Kivu and other areas in the eastern part of the country;

5. *Urges* all parties to the conflict in the Democratic Republic of the Congo:

(*a*) To respect and further implement the Global and All-Inclusive Agreement;

(*b*) To adhere fully to the Principles on Good-neighbourly Relations and Cooperation between the Democratic Republic of the Congo and Burundi, Rwanda and Uganda signed in New York on 25 September 2003,[441] to engage firmly for the full success of the joint verification mechanism agreed upon by the Presidents of the Democratic Republic of the Congo and Rwanda in Abuja on 25 June 2004,[442] and to take part constructively in the International Conference on Peace, Security, Democracy and Development in the Great Lakes Region of Africa;

(*c*) To cease immediately all military activity that impedes the consolidation of the sovereignty, unity and territorial integrity of the Democratic Republic of the Congo, including support for the armed groups allied to the parties to the conflict;

(*d*) To support the transitional Government and its institutions in order to allow for the re-establishment of political and economic stability and for the gradual reinforcement of state structures over the entire territory of the Democratic Republic of the Congo, in accordance with their obligations under the Transitional Constitution;

(*e*) To put an immediate end to the recruitment and use of child soldiers, which is contrary to international law and to the African Charter on the Rights and Welfare of the Child,[443] with the understanding that, under the Convention on the Rights of the Child[444] and the Optional Protocol thereto on the involvement of children in armed conflict,[445] and in accordance with Security Council resolution 1539 (2004) of 22 April 2004 on children and armed conflict, persons under the age of 18 are entitled to special protection, and to provide information without delay on measures taken to discontinue such practices;

(*f*) To take special measures to protect women and children from the appalling violence, including sexual violence, which has been and continues to be prevalent throughout the country, in particular in Ituri, North and South Kivu and other areas in the eastern part of the country, and condemns in particular the widespread use of sexual violence as a means of warfare;

(*g*) To promote the full enjoyment of all human rights by women and children and to meet the special needs of women and girls in post-conflict reconstruction, as well as to ensure the full participation of women in all aspects of conflict resolution and peace processes, including peacekeeping, conflict management and peacebuilding, as a matter of priority, in accordance with Security Council resolution 1325 (2000) of 31 October 2000 on women and peace and security;

(*h*) To ensure the rights and well-being of internally displaced persons, returnees and refugee populations;

(*i*) To respect international humanitarian law, in particular on the protection of civilians by ensuring the safety, security and freedom of movement of all civilians and United Nations and associated personnel, and the unhindered access of humanitarian personnel to all of the affected population throughout the territory of the Democratic Republic of the Congo in accordance with Security Council resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000;

(*j*) To promote the full enjoyment of all human rights and to protect the safety, security and freedom of movement of all human rights defenders;

6. *Calls upon* the Government of National Unity and Transition to take specific measures:

(*a*) To achieve the objectives of the transitional period as laid down in the Global and All-Inclusive Agreement, in particular the holding of free and transparent elections at all levels, enabling the establishment of a democratic constitutional regime, and the formation of a restructured and integrated national army; and also the formation of an integrated and adequately resourced national police force;

(*b*) To strengthen the transitional institutions, in particular to set up effectively the Independent Electoral Commission, the Truth and Reconciliation Commission and the Human Rights Monitoring Centre, and to re-establish stability and the rule of law over the entire territory of the Democratic Republic of the Congo, thereby returning peace and progress to its people;

(*c*) To comply fully with its obligations under international human rights instruments and, accordingly, to continue to cooperate with United Nations mechanisms for the protection of human rights and further strengthen its cooperation with the Office of the United Nations High Commissioner for Human Rights in the Democratic Republic of the Congo;

(*d*) To put an end to impunity and to ensure, as it is duty-bound to do, that those responsible for human rights violations and grave breaches of international humanitarian law are brought to justice in accordance with due process, and to carry out urgently a comprehensive reform of the judicial system;

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[441] A/58/428-S/2003/983, annex.

[442] See S/2004/534, annex.

[443] *Human Rights: A Compilation of International Instruments*, vol. II: *Regional Instruments* (United Nations publication, Sales No. E.97.XIV.1), sect. C, No. 39.

[444] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[445] Resolution 54/263, annex I.

(*e*) To put an end to the use of the death penalty in a manner contrary to its obligations assumed under the relevant provisions of the International Covenant on Civil and Political Rights[446] and other human rights instruments, while recalling its commitment to progressively abolish the death penalty and not to impose it on juvenile offenders;

(*f*) To continue to cooperate with the International Criminal Court and with the International Criminal Tribunal for Rwanda;

(*g*) To prevent the use of the media to incite hatred or tensions among communities, while respecting freedom of expression and of the press;

(*h*) To continue its programme to demobilize, disarm and reintegrate former combatants, taking into account the special needs of women and children, including girls, associated with those combatants;

(*i*) To put an end to the illegal exploitation of the natural resources of the Democratic Republic of the Congo, in view of the link between that exploitation and the continuation of the conflict;

7. *Encourages* the international community to continue to support the transition in the Democratic Republic of the Congo and its institutions and, in particular, to provide assistance in the reform of national judicial institutions;

8. *Decides* to continue to examine the situation of human rights in the Democratic Republic of the Congo, and requests the independent expert on the situation of human rights in the Democratic Republic of the Congo to report to the General Assembly at its sixtieth session.

RESOLUTION 59/260

Adopted at the 76th plenary meeting, on 23 December 2004, on the recommendation of the Committee (A/59/496, para. 27),[447] by a recorded vote of 125 to 10, with 30 abstentions, as follows:

In favour: Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Fiji, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Denmark, Finland, Japan, Latvia, New Zealand, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Austria, Belgium, Bulgaria, Croatia, Czech Republic, Estonia, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Liechtenstein, Lithuania, Luxembourg, Netherlands, Norway, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovenia, Switzerland, Turkey, Ukraine, Uzbekistan

59/260. Future operation of the International Research and Training Institute for the Advancement of Women

The General Assembly,

Recalling all of its previous resolutions on the situation of the International Research and Training Institute for the Advancement of Women, in particular resolutions 55/219 of 23 December 2000, 56/125 of 19 December 2001, 57/175 of 18 December 2002 and 58/244 of 23 December 2003,

Reaffirming its resolution 57/311 of 18 June 2003 on the financial situation of the Institute,

Recalling Economic and Social Council resolution 2003/57 of 24 July 2003, in which the Council decided to amend articles III and IV of the statute of the Institute,

Welcoming the constitution of the Executive Board of the Institute, in particular the important results of its first session, held on 27 July 2004, and its resumed first session, held on 1 October 2004,

Welcoming also the adoption by the Executive Board of the framework of the strategic plan for the Institute, 2004–2007,

Bearing in mind the recommendation made by the Executive Board at its resumed first session that the report of the Director of the Institute, the proposed operational budget for 2005 and other relevant documents be submitted to the General Assembly,

Taking note with appreciation of a number of important strategic initiatives, including the redesign of the web site of the Institute, the strengthening of cooperative arrangements with entities of the United Nations system, the expansion of the research programme of the Institute, the intensification of its fund-raising campaign, the enhancement of communications with governmental agencies, civil society, academia and the private sector, and the strengthening of the training, capacity-building and outreach activities undertaken by the Institute,

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[446] See resolution 2200 A (XXI), annex.

[447] The draft resolution recommended in the report was sponsored in the Committee by Mexico, and Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

1. *Welcomes* the report of the Secretary-General;[448]

2. *Welcomes also* the fact that the first phase of the revitalization process has been completed with the preparation of the programme of work, portfolio of projects and related budget of the International Research and Training Institute for the Advancement of Women, as noted by the Secretary-General in his report, and decides that all of its projects should be fully implemented in order to strengthen the Institute, thus enabling it to carry out effectively its mandate, in particular to address the challenges facing women in developing and least developed countries in all regions;

3. *Recognizes* that the implementation of the programme of work and strategic plan for the Institute will contribute to the review and appraisal of the implementation of the Beijing Declaration and Platform for Action[449] and the outcome document of the twenty-third special session of the General Assembly;[450]

4. *Requests* the Institute, in accordance with its mandate, to actively participate in and contribute to the review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcome document of the twenty-third special session of the General Assembly in the context of the forty-ninth session of the Commission on the Status of Women;

5. *Also requests* that the Institute, in the formulation of future programmes and projects, take into account the particular challenges facing women in developing and least developed countries in the different regions;

6. *Stresses* the critical importance of voluntary financial contributions by Member States to the United Nations Trust Fund for the International Research and Training Institute for the Advancement of Women to enable it to carry out its mandate;

7. *Urges* Member States to make voluntary contributions to the Trust Fund, particularly during this critical transitional period;

8. *Decides* to provide its full support to the current efforts to revitalize the Institute and, in this regard, to ensure that the Institute will be able to continue functioning for a period of at least one year;

9. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 59/261

Adopted at the 76th plenary meeting, on 23 December 2004, on the recommendation of the Committee (A/59/499, para. 35),[451] by a recorded vote of 166 to 2, with 1 abstention, as follows:

In favour: Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Marshall Islands, United States of America

Abstaining: India

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[448] A/59/313.

[449] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[450] Resolution S-23/3, annex.

[451] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Grenada, Guatemala, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Somalia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of) and Zambia.

59/261. Rights of the child

The General Assembly,

Recalling its previous resolutions on the rights of the child, the most recent of which is resolution 58/157 of 22 December 2003, as well as Commission on Human Rights resolution 2004/48 of 20 April 2004,[452]

Emphasizing that the Convention on the Rights of the Child[453] must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[454] as well as other relevant human rights instruments,

Welcoming the entry into force on 25 December 2003 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[455]

Reaffirming the outcome documents of the special session of the General Assembly on children, entitled "A world fit for children",[456] and the commitments contained therein to promote and protect the rights of each child, every human being below the age of 18 years, including adolescents, and of all major United Nations conferences, and the integration of child rights issues into the outcome documents of all major United Nations conferences, special sessions and summits,

Welcoming the reports of the Secretary-General on the status of the Convention on the Rights of the Child[457] and on progress achieved in realizing the commitments set out in the document entitled "A world fit for children",[458]

Welcoming also the work of the Committee on the Rights of the Child in examining the progress made by States parties to the Convention in implementing the obligations undertaken in the Convention and in providing recommendations to States parties on the implementation of the Convention and, in cooperation with the Office of the United Nations High Commissioner for Human Rights, in enhancing awareness of the principles and provisions of the Convention,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of the persistence of poverty, social inequality, inadequate social and economic conditions in an increasingly globalized economic environment, pandemics, in particular HIV/AIDS, malaria and tuberculosis, environmental damage, natural disasters, armed conflict, displacement, exploitation, illiteracy, hunger, intolerance, discrimination, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Underlining the need to mainstream a gender perspective in all policies and programmes relating to children,

Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography

1. *Reaffirms* that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents;

2. *Urges* States that have not yet done so to sign and ratify or accede to the Convention on the Rights of the Child[453] as a matter of priority, and urges States parties to implement it fully, while stressing that the implementation of the Convention and the achievement of the goals of the World Summit for Children and the special session of the General Assembly on children are mutually reinforcing;

3. *Expresses its concern* about the great number of reservations to the Convention, and urges States parties to withdraw reservations that are incompatible with the object and purpose of the Convention and to consider reviewing other reservations with a view to withdrawing them;

4. *Urges* States that have not yet done so to consider signing and ratifying or acceding to the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[454] and urges States parties to implement them fully;

5. *Urges* States parties to take all appropriate measures for the implementation of the rights recognized in the Convention by, inter alia, putting in place effective national legislation, policies and action plans, by strengthening relevant governmental structures for children and by ensuring adequate and systematic training in the rights of the child for professional groups working with and for children;

6. *Encourages* States to strengthen their national statistical capacities and to use statistics disaggregated, inter alia, by age, gender and other relevant factors that may lead to disparities and other statistical indicators at the national, subregional, regional and international levels to develop and

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[452] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[453] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[454] Resolution 54/263, annexes I and II.

[455] Resolution 55/25, annex II.

[456] Resolution S-27/2, annex.

[457] A/59/190.

[458] A/59/274.

assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

7. *Also encourages* States to strengthen their partnership with United Nations organs, within their respective mandates, the Bretton Woods institutions and other multilateral agencies, and affirms the important role of international cooperation for the purposes of the promotion and protection of the rights of the child, in particular with regard to economic, social and cultural rights;

8. *Calls upon* States to strengthen their cooperation with the Committee on the Rights of the Child, to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, and to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

9. *Welcomes* the efforts of the Committee to reform its working methods so as to consider the reports of States parties in a timely manner, including its proposal to work in two chambers, as an exceptional and temporary measure, for a period of two years, in order to clear the backlog of reports, taking due account of equitable geographical distribution, urges the Committee to continue to review its working methods in order to enhance its efficiency, and requests it to assess the progress made after two years, taking into account the wider context of treaty body reform;

10. *Calls upon* all States and relevant actors concerned to continue to cooperate with the special rapporteurs and special representatives of the United Nations system in the implementation of their mandates;

11. *Requests* all relevant organs of the United Nations system, the Office of the United Nations High Commissioner for Human Rights and United Nations mechanisms regularly and systematically to incorporate a strong child rights perspective as well as a gender perspective throughout all activities in the fulfilment of their mandates, as well as to ensure that their staff is trained in child protection matters, and calls upon States to cooperate closely with them;

Promoting and protecting the rights of children and non-discrimination against children, including children in particularly difficult situations

Identity, family relations and birth registration

12. *Urges* all States to intensify their efforts in order to ensure the implementation of the right of the child to birth registration, preservation of identity, including nationality, and family relations, as recognized by law, by:

(*a*) Providing, at minimal cost, simplified, expeditious and effective procedures for birth registration;

(*b*) Raising awareness at the national, regional and local levels, whenever necessary, of the importance of birth registration;

(*c*) Guaranteeing, to the extent consistent with each State's obligations, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contact with both parents by providing means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

(*d*) Where alternative care is necessary, promoting family and community-based care in preference to placement in institutions;

13. *Calls upon* States to take all necessary measures to prevent and combat illegal adoptions;

14. *Calls upon* all States to adopt and enforce laws and improve the implementation of policies and programmes to protect children growing up without parents and caregivers, in particular orphaned and other vulnerable children, from all forms of violence, neglect, abuse and exploitation, and to ensure their access to education, health and social services;

15. *Calls upon* States to take all necessary measures to ensure the full enjoyment of all human rights and fundamental freedoms by orphaned and other vulnerable children and to take effective measures against violations of those rights;

16. *Calls upon* all States to address cases of international abduction of children, and encourages States to engage in multilateral and bilateral cooperation so as to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention and, in this respect, to pay particular attention to cases of international abduction of children by a parent or by other relatives;

Poverty

17. *Calls upon* States and the international community to cooperate, support and participate in the global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all of these levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the United Nations Millennium Declaration,[459] are realized within their time framework, and reaffirms that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

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[459] See resolution 55/2.

Health

18. *Calls upon* all States to take all necessary measures to ensure the right of the child, without discrimination, to the enjoyment of the highest attainable standard of health and to develop sustainable health systems and social services, to ensure access to such systems and services without discrimination and to pay particular attention to adequate food and nutrition to prevent disease and malnutrition, to prenatal and post-natal health care, to the special needs of adolescents and to reproductive and sexual health;

19. *Urges* all States to assign priority to activities and programmes aimed at preventing the abuse of narcotic drugs, psychotropic substances and inhalants as well as preventing other addictions, in particular addiction to alcohol and tobacco, among children and young people, especially those in vulnerable situations, and to counter the use of children and young people in the illicit production of and trafficking in narcotic drugs and psychotropic substances;

20. *Calls upon* all States to give support and rehabilitation to children and their families affected by HIV/AIDS and to involve children and their caregivers, as well as the private sector, to ensure the effective prevention of HIV infections through correct information and access to voluntary and confidential care, treatment and testing, including pharmaceutical products and medical technologies, affordable to all, giving due importance to the prevention of mother-to-child transmission of the virus;

Education

21. *Also calls upon* all States:

(*a*) To recognize the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, by ensuring that all children have access to education of good quality, as well as by making secondary education generally available and accessible to all, in particular by the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion;

(*b*) To design and implement programmes to provide social services and support to pregnant adolescents and adolescent mothers, in particular by enabling them to continue and complete their education;

(*c*) To take all appropriate measures to prevent racism and discriminatory and xenophobic attitudes and behaviour through education, keeping in mind the important role that children play in changing those practices;

(*d*) To ensure that children, from an early age, benefit from education programmes, materials and activities that develop respect for human rights and reflect fully the values of peace, non-violence against oneself and others, tolerance and gender equality;

(*e*) To harness the rapidly evolving information and communication technologies to support education at an affordable cost, including open and distance education, while reducing inequality in access and quality;

(*f*) To enable children, including adolescents, to exercise their right to express their views freely, according to their evolving capacity, and build self-esteem, acquire knowledge and skills, such as those for conflict resolution, decision-making and communication, to meet the challenges of life;

22. *Invites* the United Nations Educational, Scientific and Cultural Organization to continue to implement its mandated role in coordinating Education for All, as a means of reaching the commitments contained in the Millennium Declaration in this regard;

23. *Urges* States:

(*a*) To take measures to protect schoolchildren from violence, injury or abuse, including sexual abuse and intimidation or maltreatment in schools, to establish complaint mechanisms that are age-appropriate and accessible to children and to undertake thorough and prompt investigations of all acts of violence and discrimination;

(*b*) To take measures to eliminate the use of corporal punishment in schools;

Freedom from violence

24. *Calls upon* States:

(*a*) To take all appropriate measures to prevent and protect children from all forms of violence, including physical, mental and sexual violence, torture, child abuse, domestic violence, and abuse by police, other law enforcement authorities and employees and officials in detention centres or welfare institutions, including orphanages;

(*b*) To investigate and submit cases of torture and other forms of violence against children to the competent authorities for the purpose of prosecution and to impose appropriate disciplinary or penal sanctions against those responsible for such practices;

25. *Calls upon* all States to end impunity for perpetrators of crimes committed against children, recognizing in this regard the contribution of the establishment of the International Criminal Court as a way to prevent violations of human rights and international humanitarian law, in particular when children are victims of serious crimes, including the crime of genocide, crimes against humanity and war crimes, to bring perpetrators of such crimes to justice and not grant amnesties for

these crimes and to strengthen international cooperation towards the goal of ending impunity;

26. *Requests* all relevant human rights mechanisms, in particular special rapporteurs and working groups, within their mandates, to pay attention to the special situations of violence against children, reflecting their experiences in the field;

27. *Invites* the independent expert for the United Nations study on violence against children to report to the General Assembly at its sixtieth session;

Non-discrimination

28. *Calls upon* all States to ensure that children are entitled to their civil, political, economic, social and cultural rights without discrimination of any kind;

29. *Notes with concern* the large number of children, particularly girls and children belonging to minorities, who are among the victims of racism, racial discrimination, xenophobia and related intolerance, stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views, in programmes to combat racism, racial discrimination, xenophobia and related intolerance, and calls upon States to provide special support and ensure equal access to services for all children;

The girl child

30. *Calls upon* all States to take all necessary measures, including legal reforms where appropriate:

(*a*) To ensure the full and equal enjoyment by girls of all human rights and fundamental freedoms, to take effective actions against violations of those rights and freedoms and to base programmes and policies on the rights of the child, taking into account the special situation of girls;

(*b*) To eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, the root causes of son preference, marriages without free and full consent of the intending spouses, early marriages and forced sterilization, by enacting and enforcing legislation and, where appropriate, formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies protecting girls;

Children with disabilities

31. *Also calls upon* all States to take the necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities in both the public and the private spheres, including access to good quality education and health care and protection from violence, abuse and neglect, and to develop and, where it already exists, to enforce legislation to prohibit discrimination against them to ensure their dignity, promote their self-reliance and facilitate their active participation and integration in the community, taking into account the particularly difficult situation of children with disabilities living in poverty;

32. *Encourages* the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities to continue to consider the issue of children with disabilities in its deliberations;

Migrant children

33. *Calls upon* all States to ensure, for migrant children, the enjoyment of all human rights as well as access to health care, social services and education of good quality and to ensure that migrant children, and especially those who are unaccompanied, in particular victims of violence and exploitation, receive special protection and assistance;

Children working and/or living on the street

34. *Also calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary and summary executions, torture, all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of these children and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

Refugee and internally displaced children

35. *Further calls upon* all States to protect refugee, asylum-seeking and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to risks in connection with armed conflict, such as recruitment, sexual violence and exploitation, to pay particular attention to programmes for voluntary repatriation and, wherever possible, local integration and resettlement, to give priority to family tracing and reunification and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work;

Child labour

36. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous to or interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system, and to examine and devise economic

policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

37. *Urges* all States that have not yet done so to consider ratifying the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182) of the International Labour Organization, and calls upon States parties to those instruments to implement them fully and to comply in a timely manner with their reporting obligations;

Children alleged to have infringed or recognized as having infringed penal law

38. *Calls upon:*

(*a*) All States, in particular States in which the death penalty has not been abolished, to comply with their obligations as assumed under relevant provisions of international human rights instruments, including, in particular, articles 37 and 40 of the Convention on the Rights of the Child[453] and articles 6 and 14 of the International Covenant on Civil and Political Rights,[460] keeping in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and the guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989, and calls upon those States to abolish by law, as soon as possible, the death penalty for those below the age of 18 years at the time of the commission of the offence;

(*b*) All States to ensure that no child in detention is sentenced to forced labour or corporal punishment or deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training, taking into consideration the special needs of children with disabilities in detention, in accordance with their obligations under the Convention;

Recovery and social reintegration

39. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, considering, inter alia, views, skills and capacities that these children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

40. *Recognizes* that children affected by the severe impact of natural disasters must be provided with access to basic social services;

Prevention and eradication of the sale of children, child prostitution and child pornography

41. *Calls upon* all States:

(*a*) To criminalize and penalize effectively all forms of sexual exploitation and sexual abuse of children, including all acts of paedophilia, including within the family or for commercial purposes, child pornography and child prostitution, child sex tourism, trafficking in children, the sale of children and their organs and the use of the Internet for these purposes, and to take effective measures against the criminalization of children who are victims of exploitation;

(*b*) To ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country in which the crime was committed, or in the country of which the offender is a national or resident, or in the country of which the victim is a national, or on any other basis permitted under domestic law in accordance with due process of law, and for these purposes, to afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings;

(*c*) To increase cooperation at all levels to prevent and dismantle networks trafficking in children;

(*d*) To consider ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[455]

(*e*) In cases of trafficking in children, the sale of children, child prostitution and child pornography, to address effectively the needs of victims, including their safety and protection, physical and psychological recovery and full reintegration into their family and society;

(*f*) To combat the existence of a market that encourages such criminal practices against children, including through the adoption, effective application and enforcement of preventive, rehabilitative and punitive measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as by ensuring public awareness;

(*g*) To contribute to the elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking in children;

Children affected by armed conflict

42. *Reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Commission on Human Rights in promoting and protecting the

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[460] See resolution 2200 A (XXI), annex.

rights and welfare of children, notes the importance of the debates held by the Security Council on children and armed conflict and its resolutions,[461] and takes note of other recent documents on this issue[462] and of the importance of the undertaking by the Council to give special attention to the protection, welfare and rights of children in armed conflict when taking action aimed at maintaining peace and security, including provisions for the protection of children in the mandates of peacekeeping operations, as well as the inclusion of child protection advisers in those operations;

43. *Takes note* of the report of the Secretary-General on the comprehensive assessment of the United Nations system response to children affected by armed conflict;[463]

44. *Also takes note* of the report of the Special Representative of the Secretary-General for Children and Armed Conflict;[464]

45. *Recognizes* the inclusion in the Rome Statute of the International Criminal Court,[465] as a war crime, of crimes involving sexual violence and crimes of conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities in both international and non-international armed conflicts;

46. *Strongly condemns* any recruitment and use of children in armed conflict contrary to international law, and urges all States and other parties to armed conflict that are engaged in such practices to end them;

47. *Recognizes* the efforts of States, the United Nations system and civil society to end the recruitment and use of children in armed conflict;

48. *Calls upon* States:

(*a*) When ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[466] to raise the minimum age for voluntary recruitment of persons into the national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons under 18 years of age are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

(*b*) To take all feasible measures to ensure the demobilization and effective disarmament of children used in armed conflicts and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, taking into account the rights and the specific needs and capacities of girls;

(*c*) To take all feasible measures, as a matter of priority, to prevent the recruitment and use of children by armed groups, as distinct from the armed forces of a State, including the adoption of legal measures necessary to prohibit and criminalize such practices;

(*d*) To protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law and to ensure that they receive timely, effective humanitarian assistance in accordance with the Geneva Conventions of 12 August 1949[467] and international humanitarian law;

49. *Calls upon* the United Nations system and the international community to cooperate with States in the development of projects to build capacity and to educate and train demobilized children in order to reintegrate them into society;

Follow-up

50. *Urges* those States that have not yet done so to complete as soon as possible a national action plan incorporating the goals agreed at the special session of the General Assembly on children, as reflected in its outcome document entitled "A world fit for children",[456] and to place those goals within the framework of the Convention on the Rights of the Child;[453]

51. *Decides:*

(*a*) To request the Secretary-General to prepare an updated report on the progress achieved in realizing the commitments set out in the document entitled "A world fit for children", with a view to identifying new challenges and making recommendations on the action needed to achieve further progress;

(*b*) To request the Secretary-General to submit to the General Assembly at its sixtieth session a report on the rights of the child, containing information on the status of the Convention and the issues addressed in the present resolution;

(*c*) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Commission on Human Rights and to ensure that they contain relevant, accurate and objective information on the situation of children affected by armed conflict, taking into account the views of Member States and the outcome document adopted by the General Assembly at its special session on children and bearing in mind existing mandates and reports of relevant bodies;

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[461] Security Council resolutions 1379 (2001), 1460 (2003) and 1539 (2004).

[462] A/58/546-S/2003/1053 and Corr.1 and 2 and A/59/184-S/2004/602.

[463] A/59/331.

[464] A/59/426.

[465] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[466] Resolution 54/263, annex I.

[467] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

(*d*) To invite the Chairman of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixtieth session;

(*e*) To focus its general debate regarding the promotion of the rights of the child, at future sessions, on specific challenges, beginning, at its sixtieth session, with the contribution that the implementation of the Convention on the Rights of the Child can make to the eradication of poverty and hunger;

(*f*) To continue its consideration of the question at its sixtieth session under the item entitled "Promotion and protection of the rights of children".

RESOLUTION 59/262

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.1, para. 20)[468]

59/262. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

The General Assembly,

Guided by the basic instruments regarding the international protection of human rights, in particular the Universal Declaration of Human Rights[469] and other relevant human rights instruments, and reaffirming the obligation of States to promote and protect human rights and fundamental freedoms,

Recalling its resolution 45/158 of 18 December 1990, by which it adopted and opened for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Recalling also the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families on 1 July 2003,

Considering that, in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[470] all States are urged to guarantee the protection of the human rights of all migrant workers and their families and are invited to consider the possibility of signing and ratifying the Convention at the earliest possible time,

Bearing in mind the principles and norms established within the framework of the International Labour Organization and the importance of the work done in connection with migrant workers and members of their families in other specialized agencies and in various organs of the United Nations, as well as in the International Organization for Migration,

Conscious of the marked increase in migratory movements that has occurred, especially in certain parts of the world,

Deeply concerned at the manifestations of violence, racism, racial discrimination, xenophobia and other forms of intolerance and inhuman and degrading treatment directed against migrants in various parts of the world,

Recognizing the urgent need to make further efforts worldwide to improve the situation and to guarantee respect for the human rights and dignity of all migrant workers and members of their families, and aware of the important contribution of the Convention in this regard,

1. *Welcomes* the increasing number of signatures, ratifications or accessions to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, calls upon States parties to undertake the necessary measures for the implementation of the Convention, and takes note of the report of the Secretary-General on the status of the Convention;[471]

2. *Calls upon* all Member States that have not yet done so to consider urgently signing and ratifying or acceding to the Convention, with the aim of achieving a broader participation by Member States in the Convention;

3. *Welcomes* the establishment of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the report on its first session, held in Geneva from 1 to 5 March 2004,[472] and takes note of the rules of procedure adopted by the Committee;[473]

4. *Requests* the Secretary-General to continue to provide all the necessary facilities and assistance for the effective functioning of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, making efficient use of available resources;

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[468] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Azerbaijan, Bangladesh, Burkina Faso, Cape Verde, Chile, Colombia, Cuba, Ecuador, Egypt, El Salvador, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Indonesia, Mali, Mexico, Morocco, Mozambique, Nicaragua, Niger, Paraguay, Peru, Philippines, Senegal, Sri Lanka, Sudan, Timor-Leste, Tunisia, Uruguay and Yemen.

[469] Resolution 217 A (III).

[470] A/CONF.157/24 (Part I), chap. III.

[471] A/59/328.

[472] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 48* (A/59/48).

[473] Ibid., annex IV.

5. *Invites* the Committee to take into account the work done by other human rights treaty bodies and special procedures of the Commission on Human Rights to promote and protect the human rights of migrant workers, as well as the work of other international forums and other parts of the United Nations system in addressing issues of international migration;

6. *Also invites* the Committee to take into account the efforts by the other human rights treaty bodies and the Secretary-General aimed at improving the effectiveness of the treaty body system;

7. *Calls upon* States parties to the Convention to submit in due time their first periodic report, as requested in article 73 of the Convention;

8. *Invites* States parties to the Convention to consider making the declarations foreseen in articles 76 and 77 of the Convention;

9. *Requests* the Secretary-General to provide all the facilities and assistance necessary for the active promotion of the Convention through the programme of advisory services and technical cooperation in the field of human rights;

10. *Welcomes* the increasing activities undertaken by the organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to disseminate information on and promote understanding of the importance of the Convention, and invites them to intensify further their efforts in this regard;

11. *Also welcomes* the work of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants in relation to the Convention, and encourages her to persevere in her efforts;

12. *Requests* the Secretary-General to submit an updated report on the status of the Convention and on the implementation of the present resolution to the General Assembly at its sixty-first session.

RESOLUTION 59/263

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/503/Add.3, para. 60)[474]

59/263. Situation of human rights in Myanmar

The General Assembly,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations they have undertaken under the various international instruments in this field,

Reaffirming also its previous resolutions on the human rights situation in Myanmar, the most recent of which is resolution 58/247 of 23 December 2003, those of the Commission on Human Rights, the most recent of which is resolution 2004/61 of 21 April 2004,[475] and the conclusions of the special sitting of the Committee on the Application of Standards of the International Labour Conference of 5 June 2004,

Bearing in mind Security Council resolutions 1460 (2003) of 30 January 2003 and 1539 (2004) of 22 April 2004,

Recognizing that good governance, democracy, the rule of law and respect for human rights are essential to achieving sustainable development and economic growth,

1. *Welcomes:*

(*a*) The report of the Secretary-General[476] and the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar;[477]

(*b*) The personal engagement of the Secretary-General with the situation in Myanmar and his statement of 17 August 2004, in which he calls upon the Government of Myanmar to release Daw Aung San Suu Kyi immediately and to engage in substantive dialogue with the National League for Democracy and other political parties;

(*c*) The establishment by the Government of a committee for the prevention of military recruitment of underage children and its discussions with the United Nations Children's Fund towards concluding a plan of action, and stresses the need for the Government to work closely with the Fund;

(*d*) The resumption of peace talks between the Government of Myanmar and the Karen National Union;

(*e*) The access to the eastern part of Myanmar of the International Committee of the Red Cross and the United Nations High Commissioner for Refugees;

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[474] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America.

[475] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[476] A/59/269.

[477] See A/59/311.

2. *Expresses its grave concern* at:

(*a*) The ongoing systematic violation of the human rights, including civil, political, economic, social and cultural rights, of the people of Myanmar, in particular as outlined in previous resolutions concerning the situation of human rights in Myanmar, the most recent of which are General Assembly resolution 58/247 and Commission on Human Rights resolution 2004/61;[475]

(*b*) The events of 30 May 2003 and the continuing detention and house arrest of Daw Aung San Suu Kyi and members of the National League for Democracy;

(*c*) The fact that the Myanmar authorities have yet to implement recommendations contained in the aforementioned resolutions adopted by the General Assembly and the Commission on Human Rights;

(*d*) The fact that the Myanmar authorities have not permitted the Special Envoy of the Secretary-General for Myanmar to visit for over six months, or the Special Rapporteur to visit for almost twelve months, despite repeated requests;

(*e*) The continuing restrictions placed on the National League for Democracy and other political parties which prevented them from participating in the National Convention;

3. *Calls upon* the Government of Myanmar:

(*a*) To end the systematic violations of human rights in Myanmar, including extrajudicial killings, the use of torture, the use of rape and other forms of sexual violence persistently carried out by members of the armed forces, discrimination and violations suffered in particular by persons belonging to ethnic minorities, women and children and violations of the right to an adequate standard of living; to ensure full respect for all human rights and fundamental freedoms; to end impunity; and to investigate and bring to justice any perpetrators of human rights violations, including members of the military and other government agents in all circumstances;

(*b*) To ensure that the next session of the National Convention is fully inclusive of all political parties and representatives and all major ethnic nationalities not represented by a political party, and that participants are guaranteed freedom of association and freedom of expression, including freedom of the media and unlimited access to information for the people of Myanmar, and guarantees the safety of all participants;

(*c*) To restore democracy and respect the results of the 1990 elections by, inter alia, releasing immediately and unconditionally the leadership of the National League for Democracy, including Daw Aung San Suu Kyi, and members of the League detained on or after 30 May 2003, as well as other prisoners of conscience, and to cease the ongoing harassment of the League and other political parties and allow the reopening of the offices of the League throughout the country;

(*d*) To release immediately and unconditionally all detained or imprisoned political prisoners;

(*e*) To initiate a full and independent inquiry, with international cooperation, into the Depayin incident of 30 May 2003, as called for by the General Assembly at its fifty-eighth session;

(*f*) To cooperate fully with the Special Envoy and the Special Rapporteur in order to help to bring Myanmar towards a transition to civilian rule and to ensure that they are both granted without further delay full, free and unimpeded access to Myanmar and that no person cooperating with the Special Envoy, the Special Rapporteur or any international organization is subjected to any form of intimidation, harassment or punishment, and to review as a matter of urgency the case of those undergoing punishment in this regard;

(*g*) To consider as a matter of high priority becoming a party to all relevant human rights instruments;

(*h*) To take immediate action to implement fully concrete legislative, executive and administrative measures to eradicate the practice of forced labour by all organs of Government, including the armed forces, to cooperate with the International Labour Organization, and to implement fully the recommendations of the Commission of Inquiry established to examine the observance by Myanmar of the Convention concerning Forced or Compulsory Labour, 1930 (Convention No. 29), of the International Labour Organization;

(*i*) To put an immediate end to the recruitment and use of child soldiers and to extend full cooperation to relevant international organizations in order to ensure the demobilization of child soldiers, their return home and their rehabilitation in accordance with recommendations of the Committee on the Rights of the Child;[478]

(*j*) To end the policy of the systematic enforced displacement of persons and other policies leading to displacement within Myanmar and refugee flows to neighbouring countries, to provide the necessary protection and assistance to internally displaced persons and to respect the right of refugees to voluntary, safe and dignified return monitored by appropriate international agencies;

(*k*) To immediately ensure the safe and unhindered access to all parts of Myanmar of the United Nations and international humanitarian organizations so as to ensure the provision of humanitarian assistance and to guarantee that it reaches the most vulnerable groups of the population, including internally displaced persons and returnees;

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[478] See CRC/C/15/Add.237.

(*l*) To pursue through dialogue and peaceful means an immediate end to conflict with all remaining ethnic groups with which ceasefire agreements have not yet been signed;

(*m*) To formulate a clear and detailed plan for the transition to democracy, which includes concrete timing and the involvement of all political groups and ethnic nationalities in a way that ensures the process is transparent and inclusive;

4. *Requests* the Secretary-General:

(*a*) To continue to provide his good offices and to pursue his discussions on the situation of human rights and the restoration of democracy with the Government and people of Myanmar, including all relevant parties to the national reconciliation process in Myanmar;

(*b*) To give all necessary assistance to enable his Special Envoy and the Special Rapporteur to discharge their mandate fully and effectively;

(*c*) To report to the General Assembly at its sixtieth session and to the Commission on Human Rights at its sixty-first session on the progress made in the implementation of the present resolution;

5. *Decides* to continue the consideration of the question at its sixtieth session.

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RESOLUTION 59/1 A

Adopted at the 24th plenary meeting, on 11 October 2004, without a vote, on the recommendation of the Committee (A/59/421, para. 9)[1]

59/1 A. Scale of assessments for the apportionment of the expenses of the United Nations: request under Article 19 of the Charter

The General Assembly,

Having considered the letter dated 1 July 2004 from the President of the General Assembly to the Chairman of the Fifth Committee transmitting a letter dated 28 June 2004 from the Chairman of the Committee on Contributions regarding the recommendations of the Committee on Contributions on requests for exemption under Article 19 of the Charter of the United Nations[2] and the statements by the representatives of Georgia[3] and Liberia,[4]

Reaffirming the obligation of Member States under Article 17 of the Charter to bear the expenses of the Organization as apportioned by the General Assembly,

1. *Reaffirms* its role in accordance with the provisions of Article 19 of the Charter of the United Nations and the advisory role of the Committee on Contributions in accordance with rule 160 of the rules of procedure of the General Assembly;

2. *Also reaffirms* its resolution 54/237 C of 23 December 1999;

3. *Agrees* that the failure of the Central African Republic, the Comoros, Guinea-Bissau, Iraq, the Niger, the Republic of Moldova, Sao Tome and Principe, Somalia and Tajikistan to pay the full minimum amount necessary to avoid the application of Article 19 of the Charter was due to conditions beyond their control;[2]

4. *Decides* that the Central African Republic, the Comoros, Guinea-Bissau, Iraq, the Niger, the Republic of Moldova, Sao Tome and Principe, Somalia and Tajikistan should be permitted to vote in the General Assembly until 30 June 2005;

5. *Takes note* of the information provided by Georgia[3] and Liberia;[4]

6. *Concludes* that the failure of Georgia and Liberia to pay the full minimum amount necessary to avoid the application of Article 19 of the Charter was due to conditions beyond their control, and invites Georgia and Liberia to submit appropriate information to the Committee on Contributions if similar circumstances prevail in the future;

7. *Decides* that Georgia and Liberia should be permitted to vote in the General Assembly until 30 June 2005.

RESOLUTION 59/1 B

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/421/Add.1, para. 6)[5]

59/1 B. Scale of assessments for the apportionment of the expenses of the United Nations

The General Assembly,

Recalling its resolutions 55/5 B and C of 23 December 2000, 56/243 A of 24 December 2001, 56/243 B of 27 March 2002, 57/4 B of 20 December 2002, and 58/1 B of 23 December 2003,

Recalling also rule 160 of the rules of procedure of the General Assembly,

Having considered the report of the Committee on Contributions on the work of its sixty-fourth session,[6]

Having also considered the report of the Secretary-General on multi-year payment plans,[7] the letter dated 27 December 2001 from the Secretary-General addressed to the President of the General Assembly[8] and the related note by the Secretary-General,[9]

1. *Takes note* of the report of the Committee on Contributions;[6]

2. *Takes note also* of the report of the Secretary-General on multi-year payment plans;[7]

3. *Urges* all Member States to pay their assessed contributions in full, on time and without imposing conditions;

4. *Reaffirms* paragraph 1 of its resolution 57/4 B;

5. *Decides* to defer until the first part of its resumed fifty-ninth session consideration of the question of the outstanding assessed contributions of the former Yugoslavia.

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[1] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[2] A/C.5/58/40.

[3] See *Official Records of the General Assembly, Fifty-ninth Session, Fifth Committee*, 2nd meeting (A/C.5/59/SR.2), and corrigendum.

[4] Ibid., 4th meeting (A/C.5/59/SR.4), and corrigendum.

[5] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[6] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 11* (A/59/11).

[7] A/59/67.

[8] A/56/767.

[9] A/58/189.

RESOLUTION 59/12

Adopted at the 46th plenary meeting, on 29 October 2004, without a vote, on the recommendation of the Committee (A/59/448, para. 7)[10]

59/12. Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council: United Nations support to the Cameroon-Nigeria Mixed Commission

The General Assembly,

Recalling its resolution 58/294 of 18 June 2004, in which it authorized a commitment authority in the amount of 6 million United States dollars for the United Nations support to the Cameroon-Nigeria Mixed Commission,

Having considered the report of the Secretary-General on the estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council[11] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[12]

1. *Takes note* of the revised requirements for the United Nations support to the Cameroon-Nigeria Mixed Commission for the period from 1 June to 31 December 2004, which amount to 5,419,300 dollars;

2. *Endorses* the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions,[12] and approves the charging of 5,419,300 dollars against the unallocated balance of funds appropriated under section 3, Political affairs, of the programme budget for the biennium 2004–2005, for special political missions;

3. *Requests* the Secretary-General to ensure that budget presentations for special political missions, to the extent possible, utilize the format of peacekeeping operations and contain information and justification for proposals for post and non-post requirements, subject to the considerations of timeliness and the need for expeditious financing action.

RESOLUTION 59/13

Adopted at the 46th plenary meeting, on 29 October 2004, without a vote, on the recommendation of the Committee (A/59/531, para. 8)[13]

59/13. Financing of the United Nations Mission of Support in East Timor

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission of Support in East Timor,[14] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[15]

Recalling Security Council resolution 1272 (1999) of 25 October 1999 regarding the establishment of the United Nations Transitional Administration in East Timor and the subsequent resolutions by which the Council extended the mandate of the Transitional Administration, the last of which was resolution 1392 (2002) of 31 January 2002, by which the mandate was extended until 20 May 2002,

Recalling also Security Council resolution 1410 (2002) of 17 May 2002, by which the Council established the United Nations Mission of Support in East Timor as of 20 May 2002 for an initial period of twelve months, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1543 (2004) of 14 May 2004, by which the Council extended the mandate of the Mission for a period of six months, with a view to subsequently extending the mandate for a further and final period of six months, until 20 May 2005,

Recalling further its resolution 54/246 A of 23 December 1999 on the financing of the United Nations Transitional Administration in East Timor and its subsequent resolutions on the financing of the United Nations Mission of Support in East Timor, the latest of which was resolution 58/260 B of 18 June 2004,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission and to the Trust Fund for the United Nations Transitional Administration in East Timor,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Taking note of the views expressed by Member States,[16]

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[10] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[11] A/58/886.

[12] A/59/411 and Corr.1.

[13] The draft resolution recommended in the report was introduced by the Rapporteur of the Committee.

[14] A/58/636 and A/59/290.

[15] A/59/384.

[16] See *Official Records of the General Assembly, Fifty-ninth Session, Fifth Committee*, 13th meeting (A/C.5/59/SR.13), and corrigendum.

1. *Takes note* of the status of contributions to the United Nations Transitional Administration in East Timor and the United Nations Mission of Support in East Timor as at 30 September 2004, including the contributions outstanding in the amount of 74.8 million United States dollars, representing some 4 per cent of the total assessed contributions, notes with concern that only thirty-three Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Transitional Administration and the Mission in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[15] subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation, in particular:

(*a*) That the staffing of the Serious Crimes Unit will be further adjusted after the completion of the investigations to be commensurate with such residual tasks as it may have once the investigations have been completed;

(*b*) That the Mission, to the extent possible, recruit National Officers and national General Service staff locally to fill international Professional and General Service posts;

9. *Requests* the Secretary-General to report on the implementation of the above-mentioned paragraphs of the present resolution in the context of his performance report;

10. *Endorses* the view of the Advisory Committee on Administrative and Budgetary Questions in paragraph 31 of its report[15] that the position of Force Commander should be classified at the D-1 level, but authorizes the Secretary-General, as an exceptional measure and without prejudice to other peacekeeping missions, to maintain the incumbent at the D-2 level given the difficulties in recruiting a replacement owing to the short time remaining until the completion of the Mission;

11. *Emphasizes* that the Serious Crimes Unit should complete all investigations by November 2004 and should conclude trials and other activities as soon as possible and no later than 20 May 2005;

12. *Requests* the Secretary-General to measure the accomplishments of the Mission fully in accordance with Security Council resolution 1543 (2004);

Financial performance report for the period from 1 July 2002 to 30 June 2003

13. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2002 to 30 June 2003;[17]

Budget estimates for the period from 1 July 2004 to 30 June 2005

14. *Decides* to appropriate to the Special Account for the United Nations Mission of Support in East Timor the amount of 85,153,700 dollars for the period from 1 July 2004 to 30 June 2005, inclusive of the amount of 30,485,600 dollars previously authorized by the General Assembly for the Mission for the period from 1 July to 31 October 2004 under the terms of its resolution 58/260 B, and comprising the amount of 77,071,800 dollars for the period from 1 July 2004 to 20 May 2005 for the maintenance of the Mission and the amount of 8,081,900 dollars for the commencement of the liquidation activities of the Mission for the period from 21 May to 30 June 2005;

Financing of the appropriation

15. *Decides also*, taking into account the amount of 30,485,600 dollars already apportioned under the terms of its resolution 58/260 B, to apportion among Member States the additional amount of 3,530,657 dollars for the Mission for the period from 1 July to 20 November 2004, in accordance with the levels set out in General Assembly resolution 55/235, as adjusted by the Assembly in its resolutions 55/236 of 23 December 2000, and updated in its resolution 58/256 of 23 December 2003, taking into account the scale of assessments for 2004, as set out in its resolution 58/1 B of 23 December 2003;

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[17] A/58/636.

16. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 15 above, their respective share in the Tax Equalization Fund of the amount of 287,709 dollars, representing the estimated additional staff assessment income approved for the Mission for the period from 1 July to 20 November 2004;

17. *Decides* to apportion among Member States the amount of 43,055,543 dollars for the period from 21 November 2004 to 20 May 2005, in accordance with the scheme set out in paragraph 15 above and taking into account the scale of assessments for 2004 and 2005, as set out in its resolution 58/1 B, subject to a decision of the Security Council to extend the mandate of the Mission;

18. *Decides also* that, in accordance with the provisions of its resolution 973 (X), there shall be set off against the apportionment among Member States, as provided for in paragraph 17 above, their respective share in the Tax Equalization Fund of the amount of 3,004,991 dollars, representing the estimated staff assessment income approved for the Mission for the period from 21 November 2004 to 20 May 2005;

19. *Decides further* to apportion among Member States the amount of 8,081,900 dollars for the Mission for the period from 21 May to 30 June 2005, in accordance with the scheme set out in paragraph 15 above and taking into account the scale of assessments for 2005, as set out in its resolution 58/1 B;

20. *Decides* that, in accordance with the provisions of its resolution 973 (X), there shall be set off against the apportionment among Member States, as provided for in paragraph 19 above, their respective share in the Tax Equalization Fund of the amount of 382,900 dollars, representing the estimated staff assessment income approved for the Mission for the period from 21 May to 30 June 2005;

21. *Decides also* that for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 15 above, their respective share of the unencumbered balance and other income in the total amount of 14,583,900 dollars in respect of the financial period ended 30 June 2003, in accordance with the levels set out in General Assembly resolution 55/235, as adjusted by the Assembly in its resolution 55/236 and its resolution 57/290 A of 20 December 2002, taking into account the scale of assessments for 2003 as set out in its resolutions 55/5 B of 23 December 2000 and 57/4 B of 20 December 2002;

22. *Decides further* that for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 14,583,900 dollars in respect of the financial period ended 30 June 2003, in accordance with the scheme set out in paragraph 21 above;

23. *Decides* that the decrease of 181,300 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2003 shall be set off against the credits from the amount referred to in paragraphs 21 and 22 above;

24. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

25. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

26. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

27. *Decides* to keep under review during its fifty-ninth session the item entitled "Financing of the United Nations Mission of Support in East Timor".

RESOLUTION 59/14

Adopted at the 46th plenary meeting, on 29 October 2004, without a vote, on the recommendation of the Committee (A/59/527, para. 7)[18]

59/14. Financing of the United Nations Mission in Sierra Leone

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Mission in Sierra Leone[19] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[20]

Bearing in mind Security Council resolution 1270 (1999) of 22 October 1999, by which the Council established the United Nations Mission in Sierra Leone, and the subsequent resolutions by which the Council revised and extended the mandate of the Mission, the latest of which was resolution 1562 (2004) of 17 September 2004,

Recalling its resolution 53/29 of 20 November 1998 on the financing of the United Nations Observer Mission in Sierra Leone and subsequent resolutions on the financing of the

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[18] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[19] A/59/286.

[20] A/59/417.

United Nations Mission in Sierra Leone, the latest of which was resolution 58/308 of 18 June 2004,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Observer Mission in Sierra Leone and the United Nations Mission in Sierra Leone as at 30 September 2004, including the contributions outstanding in the amount of 84.9 million United States dollars, representing some 3 per cent of the total assessed contributions, notes with concern that only thirty-four Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[20] and requests the Secretary-General to ensure their full implementation;

9. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

10. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Revised budget estimates for the period from 1 July 2004 to 30 June 2005

11. *Decides* to appropriate to the Special Account for the United Nations Mission in Sierra Leone the amount of 94,621,400 dollars for the maintenance of the Mission for the period from 1 July 2004 to 30 June 2005, in addition to the amount of 207,246,100 dollars already appropriated for the same period under the terms of its resolution 58/308;

Financing of the appropriation

12. *Decides also*, taking into account the amount of 207,246,100 dollars previously apportioned under the terms of its resolution 58/308, to apportion among Member States the additional amount of 94,621,400 dollars at a monthly rate of 7,885,117 dollars, in accordance with the levels set out in General Assembly resolution 55/235, as adjusted by the Assembly in its resolution 55/236 of 23 December 2000 and updated in its resolution 58/256 of 23 December 2003, taking into account the scale of assessments for 2004 and 2005, as set out in its resolution 58/1 B of 23 December 2003;

13. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 12 above, their respective share in the Tax Equalization Fund of the amount of 2,096,500 dollars, at a monthly rate of 174,708 dollars, representing the additional estimated staff assessment income approved for the Mission;

14. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

15. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

16. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

17. *Decides* to keep under review during its fifty-ninth session the item entitled "Financing of the United Nations Mission in Sierra Leone".

RESOLUTION 59/15

Adopted at the 46th plenary meeting, on 29 October 2004, without a vote, on the recommendation of the Committee (A/59/528, para. 7)[21]

59/15. Financing of the United Nations Operation in Burundi

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Operation in Burundi[22] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[23]

Recalling Security Council resolution 1545 (2004) of 21 May 2004, by which the Council authorized, for an initial period of six months as from 1 June 2004, with the intention to renew it for further periods, the deployment of a peacekeeping operation in Burundi entitled the United Nations Operation in Burundi,

Recalling also its resolution 58/312 of 18 June 2004 on the financing of the Operation,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Operation with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Operation in Burundi as at 30 September 2004, including the contributions outstanding in the amount of 100.3 million United States dollars, representing some 65 per cent of the total assessed contributions, notes with concern that only twenty-seven Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Operation in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Operation;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[23] subject to the provisions of the present resolution;

9. *Authorizes* the Secretary-General to fill the following posts at appropriate grades until 30 June 2005:

Director in the Office of the Special Representative of the Secretary-General;

Political Affairs Officer in the Office of the Special Representative of the Secretary-General;

Protocol Officer in the Office of the Special Representative of the Secretary-General;

Political Affairs Officer in the Office of the Principal Deputy Special Representative of the Secretary-General;

Administrative Assistant in the Office of the Principal Deputy Special Representative of the Secretary-General;

Deputy Special Representative of the Secretary-General (Humanitarian and Development Coordination);

Special Assistant to the Deputy Special Representative of the Secretary-General;

Principal Legal Adviser;

Chief of the Communications and Public Information Office;

Spokesperson;

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[21] The draft resolution recommended in the report was introduced by the Rapporteur of the Committee.

[22] A/59/300.

[23] A/59/412.

and requests the Secretary-General to re-justify these posts in his next budget with additional information on appropriate grades;

10. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

11. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Operation against General Service posts, commensurate with the requirements of the Operation;

Budget estimates for the period from 1 July 2004 to 30 June 2005

12. *Decides* to appropriate to the Special Account for the United Nations Operation in Burundi the amount of 329,714,400 dollars for the maintenance of the Operation for the period from 1 July 2004 to 30 June 2005, inclusive of the amount of 106,334,600 dollars previously authorized by the General Assembly under the terms of its resolution 58/312 for the period from 1 July to 31 October 2004;

Financing of the appropriation

13. *Decides*, taking into account the amount of 106,334,600 dollars already apportioned by the General Assembly for the period from 1 July to 31 October 2004 under the terms of its resolution 58/312, to apportion among Member States the additional amount of 31,046,400 dollars for the period from 1 July to 30 November 2004, in accordance with the levels set out in General Assembly resolution 55/235, as adjusted by the Assembly in its resolution 55/236 of 23 December 2000 and updated in its resolution 58/256 of 23 December 2003, taking into account the scale of assessments for 2004, as set out in its resolution 58/1 B of 23 December 2003;

14. *Decides also* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 13 above, their respective share in the Tax Equalization Fund of 1,076,225 dollars, representing the estimated additional staff assessment income approved for the Operation for the period from 1 July to 30 November 2004;

15. *Decides further* to apportion among Member States the amount of 192,333,400 dollars at a monthly rate of 27,476,200 dollars for the maintenance of the Operation for the period from 1 December 2004 to 30 June 2005, in accordance with the scheme set out in paragraph 13 above and taking into account the scale of assessments for 2004 and 2005, as set out in its resolution 58/1 B, subject to a decision of the Security Council to extend the mandate of the Operation;

16. *Decides* that, in accordance with the provisions of its resolution 973 (X), there shall be set off against the apportionment among Member States, as provided for in paragraph 15 above, their respective share in the Tax Equalization Fund of 3,169,775 dollars, representing the staff assessment income approved for the Operation for the period from 1 December 2004 to 30 June 2005;

17. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

18. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Operation;

19. *Invites* voluntary contributions to the Operation in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

20. *Decides* to keep under review during its fifty-ninth session the item entitled "Financing of the United Nations Operation in Burundi".

RESOLUTION 59/16

Adopted at the 46th plenary meeting, on 29 October 2004, without a vote, on the recommendation of the Committee (A/59/529, para. 7)[24]

59/16. Financing of the United Nations Operation in Côte d'Ivoire

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Operation in Côte d'Ivoire[25] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[26]

Recalling Security Council resolution 1528 (2004) of 27 February 2004, by which the Council established the United Nations Operation in Côte d'Ivoire for an initial period of twelve months as from 4 April 2004,

Recalling also its resolution 58/310 of 18 June 2004 on the financing of the Operation,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

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[24] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[25] A/59/289.

[26] A/59/419 and Corr.1.

Mindful that it is essential to provide the Operation with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Operation in Côte d'Ivoire as at 30 September 2004, including the contributions outstanding in the amount of 201.2 million United States dollars, representing some 66 per cent of the total assessed contributions, notes with concern that only thirty-one Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Operation in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Operation;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[26] subject to the provisions of the present resolution;

9. *Authorizes* the Secretary-General to fill the following posts at appropriate grades until 30 June 2005:

Director in the Office of the Special Representative of the Secretary-General;

Special Assistant to the Special Representative;

Two Protocol Officers (one Professional and one National Officer);

Deputy Special Representative for Humanitarian Coordination, Recovery and Reconstruction;

Principal Legal Adviser;

Chief of the Communications and Public Information Office;

Spokesperson;

and requests the Secretary-General to re-justify these posts in his next budget with additional information on appropriate grades;

10. *Requests* the Secretary-General to take all necessary action to ensure that the Operation is administered with a maximum of efficiency and economy;

11. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Operation against General Service posts, commensurate with the requirements of the Operation;

Budget estimates for the period from 1 July 2004 to 30 June 2005

12. *Decides* to appropriate to the Special Account for the United Nations Operation in Côte d'Ivoire the amount of 177,826,200 dollars for the maintenance of the Operation for the period from 1 July 2004 to 30 June 2005, in addition to the amount of 200,646,600 dollars already appropriated for the maintenance of the Operation for the period from 1 July to 31 December 2004 under the terms of General Assembly resolution 58/310;

Financing of the appropriation

13. *Decides also* to apportion among Member States the amount of 92,864,793 dollars for the Operation for the period from 1 January to 4 April 2005, in addition to the amount of 200,646,600 dollars already apportioned for the period from 1 July to 31 December 2004 under the terms of its resolution 58/310, in accordance with the levels set out in General Assembly resolution 55/235, as adjusted by the Assembly in its resolution 55/236 of 23 December 2000, and updated in its resolution 58/256 of 23 December 2003, taking into account the scale of assessments for 2005, as set out in its resolution 58/1 B of 23 December 2003;

14. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 13 above, their respective share in the Tax Equalization Fund of 1,438,826 dollars, representing the estimated additional staff assessment income approved for the Operation for the period from 1 January to 4 April 2005;

15. *Decides* to apportion among Member States the amount of 84,961,407 dollars at a monthly rate of 29,637,700 dollars for the period from 5 April to 30 June 2005, in accordance with the scheme set out in paragraph 13 above, and taking into account the scale of assessments for 2005, as set out in its resolution 58/1 B, subject to a decision of the Security Council to extend the mandate of the Operation;

16. *Decides also* that, in accordance with the provisions of its resolution 973 (X), there shall be set off against the apportionment among Member States, as provided for in paragraph 15 above, their respective share in the Tax Equalization Fund of 1,316,374 dollars, representing the estimated staff assessment income approved for the Operation for the period from 5 April to 30 June 2005;

17. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

18. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Operation;

19. *Invites* voluntary contributions to the Operation in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

20. *Decides* to keep under review during its fifty-ninth session the item entitled "Financing of the United Nations Operation in Côte d'Ivoire".

RESOLUTION 59/17

Adopted at the 46th plenary meeting, on 29 October 2004, without a vote, on the recommendation of the Committee (A/59/530, para. 9)[27]

59/17. Financing of the United Nations Stabilization Mission in Haiti

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Stabilization Mission in Haiti[28] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[29]

Recalling Security Council resolution 1529 (2004) of 29 February 2004, by which the Council declared its readiness to establish a United Nations stabilization force to support continuation of a peaceful and constitutional political process and the maintenance of a secure and stable environment in Haiti,

Recalling also Security Council resolution 1542 (2004) of 30 April 2004, by which the Council decided to establish the United Nations Stabilization Mission in Haiti for an initial period of six months,

Recalling further its resolution 58/311 of 18 June 2004 on the financing of the Mission,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

Stressing the role of the Fifth Committee in the consideration and approval of the budgetary proposals of the Secretary-General,

1. *Takes note* of the status of contributions to the United Nations Stabilization Mission in Haiti as at 30 September 2004, including the contributions outstanding in the amount of 144.4 million United States dollars, representing some 65 per cent of the total assessed contributions, notes with concern that only thirty-two Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States that have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

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[27] The draft resolution recommended in the report was introduced by the Rapporteur of the Committee.

[28] A/59/288.

[29] A/59/390.

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. *Requests* the Secretary-General to make all efforts to provide the necessary facilities to expedite the deployment of troops and to take all necessary measures to repair the infrastructures required for the operational needs of the Mission;

9. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[29] subject to the provisions of the present resolution;

10. *Authorizes* the Secretary-General to fill the following posts at appropriate grades until 30 June 2005:

Director of the Office of the Special Representative of the Secretary-General;

Special Assistant to the Director;

Special Assistant to the Special Representative;

Protocol Officer;

Political Affairs Officer;

Deputy Special Representative of the Secretary-General for Humanitarian and Development Coordination;

Senior Humanitarian and Development Officer;

Humanitarian and Development Officer;

Principal Legal Adviser;

Chief of Public Information;

Spokesperson;

Head of the Political Affairs and Planning Division;

and requests the Secretary-General to re-justify these posts in his next budget with additional information on the appropriate grades;

11. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

12. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue to make efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Budget estimates for the period from 1 May 2004 to 30 June 2005

13. *Takes note* that in paragraph 7.II (*c*) of its resolution 1542 (2004), the Security Council mandates the Mission to assist in organizing, monitoring and carrying out free and fair municipal, parliamentary and presidential elections;

14. *Requests* the Secretary-General to implement fully the mandate given to him and to measure the Mission's accomplishments, in particular expected accomplishment 2.3,[30] fully in accordance with the Security Council mandate;

15. *Decides* to appropriate to the Special Account for the United Nations Stabilization Mission in Haiti the amount of 49,259,800 dollars for the period from 1 May to 30 June 2004 previously authorized by the Advisory Committee on Administrative and Budgetary Questions for the establishment of the Mission under the terms of section IV of General Assembly resolution 49/233 A of 23 December 1994;

16. *Decides also* to appropriate to the Special Account for the United Nations Stabilization Mission in Haiti the amount of 379,046,800 dollars for the period from 1 July 2004 to 30 June 2005, inclusive of the amount of 172,480,500 dollars previously authorized by the Assembly in its resolution 58/311 for the period from 1 July to 31 October 2004;

Financing of the appropriation

17. *Decides further* to apportion among Member States the amount of 206,566,300 dollars at a monthly rate of 25,820,787 dollars for the maintenance of the Mission for the period from 1 November 2004 to 30 June 2005, taking into account the amount of 172,480,500 dollars already apportioned by the General Assembly for the period from 1 July to 31 October 2004 in its resolution 58/311, in accordance with the levels set out in its resolution 55/235, as adjusted by the Assembly in its resolution 55/236 of 23 December 2000 and updated in its resolution 58/256 of 23 December 2003, taking into account the scale of assessments for 2004 and 2005 as set out in its resolution 58/1 B of 23 December 2003, subject to a decision of the Security Council to extend the mandate of the Mission;

18. *Decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 17 above, their respective share in the Tax Equalization Fund of 4,371,700 dollars approved for the Mission for the period from 1 November 2004 to 30 June 2005;

19. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

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[30] See A/59/288, sect I.

20. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

21. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

22. *Decides* to keep under review during its fifty-ninth session the item entitled "Financing of the United Nations Stabilization Mission in Haiti".

RESOLUTION 59/58

Adopted at the 66th plenary meeting, on 3 December 2004, without a vote, on the recommendation of the Committee (A/59/448/Add.1, para. 8)[31]

59/58. Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council: United Nations advance team in the Sudan

The General Assembly,

Having considered the report of the Secretary-General on the estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council[32] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[33]

1. *Endorses* the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions;[33]

2. *Decides* to approve the budget for the United Nations advance team in the Sudan for the period from 11 September to 10 December 2004 in the amount of 21,789,400 United States dollars gross (21,008,100 dollars net);

3. *Notes* that part of the requirements would be met from the unspent balance of 998,600 dollars of the amount already provided for the mission;

4. *Decides* to approve a charge, against the provision for special political missions appropriated under section 3, Political affairs, of the programme budget for the biennium 2004–2005, in the amount of 3,002,600 dollars, corresponding to the unassigned balance in that provision;

5. *Also decides* to appropriate, under the procedure provided for in paragraph 11 of annex I to General Assembly resolution 41/213 of 19 December 1986, the amount of 17,006,900 dollars under section 3, Political affairs, and 781,300 dollars under section 34, Staff assessment, of the programme budget for the biennium 2004–2005, the amount of 781,300 dollars to be offset by a corresponding amount in the income estimates under income section 1, Income from staff assessment, of the programme budget.

RESOLUTION 59/264

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/588, para. 7)[34]

59/264. Financial reports and audited financial statements, and reports of the Board of Auditors

The General Assembly,

Reaffirming its resolutions 50/222 of 11 April 1996, 51/218 E of 17 June 1997, 52/212 B of 31 March 1998, 53/204 of 18 December 1998, 53/221, section VIII, of 7 April 1999, 54/13 B of 23 December 1999, 55/220 A of 23 December 2000, 55/220 B and C of 12 April and 14 June 2001 and 57/278 A of 20 December 2002,

Having considered, for the period ended 31 December 2003, the financial reports and audited financial statements and the reports and audit opinions of the Board of Auditors on the United Nations,[35] the International Trade Centre UNCTAD/WTO,[36] the United Nations University,[37] the United Nations Development Programme,[38] the United Nations Children's Fund,[39] the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[40] the United Nations Institute for Training and Research,[41] the voluntary funds administered by the United Nations High Commissioner for Refugees,[42] the Fund of the United Nations Environment Programme,[43] the United Nations Population Fund,[44] the United

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[31] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[32] A/59/534.

[33] A/59/569.

[34] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[35] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 5* (A/59/5), vol. I.

[36] Ibid., vol. III.

[37] Ibid., vol. IV.

[38] Ibid., *Supplement No. 5A* (A/59/5/Add.1).

[39] Ibid., *Supplement No. 5B* (A/59/5/Add.2).

[40] Ibid., *Supplement No. 5C* (A/59/5/Add.3).

[41] Ibid., *Supplement No. 5D* (A/59/5/Add.4).

[42] Ibid., *Supplement No. 5E* (A/59/5/Add.5).

[43] Ibid., *Supplement No. 5F* (A/59/5/Add.6).

[44] Ibid., *Supplement No. 5G* (A/59/5/Add.7).

Nations Human Settlements Programme,[45] the Fund of the United Nations International Drug Control Programme,[46] the United Nations Office for Project Services,[47] the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,[48] and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,[49] the concise summary of principal findings, conclusions and recommendations contained in the reports prepared by the Board of Auditors,[50] the reports of the Secretary-General on the implementation of the recommendations of the Board of Auditors by the United Nations and its funds and programmes[51] and the report of the Advisory Committee on Administrative and Budgetary Questions,[52]

1. *Accepts* the financial reports and audited financial statements and the reports and audit opinions of the Board of Auditors for the above-mentioned organizations, with the exception of the financial statements of the United Nations Office for Project Services;[47]

2. *Notes with concern* that the Board of Auditors was unable to express an opinion on the financial statements of the United Nations Office for Project Services, and acknowledges the comprehensive steps taken by the Office to address the issues raised by the Board;

3. *Notes* the view of the Board of Auditors that it would be premature to conduct an audit in 2005 of the financial statements of the United Nations Office for Project Services for 2004 owing to the time needed to address the critical issues raised in the Board's report, and decides to revert to the issue, at its sixtieth session, in the context of the report of the Board of Auditors on the implementation of its recommendations relating to the biennium 2002–2003;

4. *Approves* the recommendations and conclusions contained in the reports of the Board of Auditors and endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[52] with the proviso that, should the need arise, the recommendations and conclusions of the Board of Auditors and the comments thereon by the Advisory Committee, including those on the International Criminal Tribunal for Rwanda,[48] the International Tribunal for the Former Yugoslavia,[49] the capital master plan[53] and the United Nations Joint Staff Pension Fund,[54] will be considered under the respective agenda items;

5. *Commends* the Board of Auditors for the superior quality of its reports, in particular with respect to its comments on the management of resources and improving the presentation of financial statements;

6. *Notes with concern* the late issuance of the reports of the Board of Auditors despite the timely submission of these reports to the Secretariat, and requests the Secretary-General to ensure sufficient priority in completing their editing and translation in order that they may be submitted to the General Assembly in accordance with the six-week rule;

7. *Takes note* of the reports of the Secretary-General on the implementation of the recommendations of the Board of Auditors by the United Nations and its funds and programmes,[51] and invites the Board of Auditors, in consultation with the Secretary-General and the executive heads of the funds and programmes, to categorize the recommendations according to their priority for implementation;

8. *Requests* the Secretary-General and the executive heads of the funds and programmes of the United Nations to indicate an expected time frame for the implementation of the recommendations of the Board of Auditors, including the office holders to be held accountable;

9. *Reiterates its request* to the Secretary-General and the executive heads of the funds and programmes of the United Nations to examine governance principles and to report thereon to the General Assembly at its sixty-first session, through the respective governing bodies of the funds and programmes of the United Nations;

10. *Requests* the Secretary-General and the executive heads of the funds and programmes of the United Nations also to consider strengthening the internal control framework, harmonizing the administrative mechanisms that would systematically act upon the findings and recommendations of oversight bodies and improving financial reporting, as well as the proper forums for the consideration of the reports of the Board of Auditors by the respective executive boards and the General Assembly, and to report thereon to the General Assembly at its sixty-first session;

11. *Notes* that the Secretariat has been collecting information on the experiences of audit committees within the

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[45] Ibid., *Supplement No. 5H* (A/59/5/Add.8).

[46] Ibid., *Supplement No. 5I* (A/59/5/Add.9).

[47] Ibid., *Supplement No. 5J* (A/59/5/Add.10).

[48] Ibid., *Supplement No. 5K* (A/59/5/Add.11).

[49] Ibid., *Supplement No. 5L* (A/59/5/Add.12).

[50] See A/59/162.

[51] A/59/318 and Add.1.

[52] A/59/400.

[53] A/59/161.

[54] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 9* (A/59/9), annex XII.

United Nations system and other international organizations, and requests the Secretary-General to report on and provide an assessment of its findings to the General Assembly at its sixtieth session.

RESOLUTION 59/265

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/644, para. 6)[55]

59/265. Pattern of conferences

The General Assembly,

Recalling its relevant resolutions, including resolutions 40/243 of 18 December 1985, 41/213 of 19 December 1986, 43/222 A to E of 21 December 1988, 51/211 A to E of 18 December 1996, 52/214 of 22 December 1997, 53/208 A to E of 18 December 1998, 54/248 of 23 December 1999, 55/222 of 23 December 2000, 56/242 of 24 December 2001, 56/254 D of 27 March 2002, 56/262 of 15 February 2002, 56/287 of 27 June 2002, 57/283 A of 20 December 2002, 57/283 B of 15 April 2003 and 58/250 of 23 December 2003,

Reaffirming its resolution 42/207 C of 11 December 1987, in which it requested the Secretary-General to ensure the equal treatment of the official languages of the United Nations,

Having considered the report of the Committee on Conferences,[56] the relevant reports of the Secretary-General,[57] the report of the Joint Inspection Unit,[58] the comments of the Secretary-General thereon,[59] and the report of the Office of Internal Oversight Services,[60]

Having also considered the reports of the Advisory Committee on Administrative and Budgetary Questions,[61]

Reaffirming the provisions relevant to conference services of its resolutions on multilingualism,

I

Calendar of conferences and meetings

1. *Approves* the draft revised calendar of conferences and meetings of the United Nations for 2005, as submitted by the Committee on Conferences,[62] taking into account the observations of the Committee, and subject to the provisions of the present resolution;

2. *Authorizes* the Committee on Conferences to make any adjustments to the calendar of conferences and meetings for 2005 that may become necessary as a result of actions and decisions taken by the General Assembly at its fifty-ninth session;

3. *Notes with satisfaction* that the Secretariat has taken into account the arrangements referred to in General Assembly resolutions 53/208 A, 54/248, 55/222, 56/242, 57/283 B and 58/250 concerning Orthodox Good Friday and the official holidays of Eid al-Fitr and Eid al-Adha, and requests all intergovernmental bodies to observe those decisions when planning their meetings;

4. *Notes* the outcome of the consultations between the Governing Council of the United Nations Human Settlements Programme and the Commission on Sustainable Development to avoid the overlap between the sessions of the Council and the Commission, and decides to reflect the results of those consultations in the revised calendar of conferences and meetings for 2005;

5. *Decides* that, in future, there should be an intervening period of at least two weeks after the closing of the sessions of relevant intergovernmental bodies and the beginning of the session of the Commission on Sustainable Development, in accordance with the multi-year programme of work of the Commission, and encourages such intergovernmental bodies and the Commission to closely coordinate meeting dates and programmes of work so as to avoid overlap between sessions;

II

A. Utilization of conference-servicing resources and facilities

1. *Notes* that the overall utilization factor at the four main duty stations in 2003 increased to 77 per cent, and encourages the bureaux and secretariats to meet the benchmark;

2. *Requests* the Committee on Conferences to continue to consult with those bodies that have consistently utilized less than the applicable benchmark figure of their allocated resources of the past three sessions with a view to making appropriate recommendations in order to achieve the optimum utilization of conference-servicing resources, and urges the secretariats and bureaux of bodies that underutilize their conference-servicing resources, with the assistance of the Department for General Assembly and Conference Management of the Secretariat, to consider changes to their

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[55] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[56] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 32* (A/59/32).

[57] A/59/159 and Add.1 and A/59/172.

[58] See A/58/435.

[59] See A/58/435/Add.1.

[60] See A/59/133 and Corr.1.

[61] A/58/620 and A/59/418.

[62] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 32* (A/59/32), annex II.

programme of work, as appropriate, based on previous patterns for recurring agenda items, with a view to making improvements in their utilization factors;

3. *Requests* the Secretary-General to conduct systematic follow-up regarding the utilization of conference services by those bodies that consistently underutilize their conference-servicing resources over a longer period of time in order to identify the underlying causes for their being unable to reach the benchmark;

4. *Also requests* the Secretary-General to report in future statistics on reassignments of services to meetings both related and unrelated to the cancelling body;

5. *Welcomes* the efforts that are being made to improve the utilization of the conference facilities at the United Nations Office at Nairobi, as set out in the report of the Secretary-General;[63]

6. *Reiterates its request* to the Secretary-General to continue to intensify the marketing efforts being made by the United Nations Office at Nairobi to attract more meetings to its facilities;

7. *Requests* the Secretary-General to ensure that conference management services at the United Nations Office at Nairobi are in line with other duty stations, taking into account the operational requirements of the Office, and to submit a report thereon to the General Assembly at its sixtieth session for its consideration;

8. *Recalls* its several resolutions, including resolution 57/283 B, section II.A, paragraph 9, and reaffirms that all meetings of Nairobi-based United Nations bodies shall take place in Nairobi, except as otherwise authorized by the General Assembly or the Committee on Conferences acting on its behalf, and requests the Secretary-General to report on the subject to the Assembly at its sixtieth session through the Committee on Conferences;

9. *Strongly discourages* any invitation to host meetings that would violate the headquarters rule, in particular for the United Nations Office at Nairobi and other United Nations centres with a low utilization level;

10. *Expresses deep concern* over the remaining vacancies in the interpretation and translation services, in particular at the United Nations Office at Nairobi, notes the efforts of the Secretary-General to fill the vacancies, and requests the Secretary-General to continue to report thereon to the General Assembly through the Committee on Conferences;

11. *Notes* the improvements in the utilization of the conference centre at the Economic Commission for Africa in response to section II.A, paragraph 1, of its resolution 58/250, and requests the Secretary-General to continue to explore all possible options to increase further the utilization of the conference centre;

12. *Welcomes* the efforts so far undertaken to increase utilization and to make more efficient use of the conference facilities at the Economic Commission for Africa, and urges the Secretary-General to sustain the marketing campaign efforts and to report on the outcome to the General Assembly at its sixtieth session;

13. *Requests* the Secretary-General to ensure that the conference centre at the Economic Commission for Africa establishes and develops linkages with other centres and bodies, introduces and utilizes an integrated conference management system and considers the implementation of other modern technology systems, as appropriate, for a more efficient delivery of services, and to report thereon to the General Assembly at its sixtieth session;

14. *Emphasizes* that all duty stations shall be given adequate resources for the effective and efficient discharge of their respective mandates, and in this respect welcomes the efforts of the Secretary-General to provide the available conference-servicing management tools and best practices to all duty stations;

15. *Recognizes* the importance of meetings of regional and other major groupings of Member States for the smooth functioning of the sessions of intergovernmental bodies, and requests the Secretary-General to ensure that, as far as possible, all requests for conference services for meetings of regional and other major groupings of Member States are met;

16. *Notes with concern* that the percentage of meetings held by regional and other major groupings of Members States that were provided with interpretation services during the reporting period from May 2003 to April 2004 decreased to 90 per cent from 92 per cent during the period from May 2002 to April 2003 for the four main duty stations;

17. *Notes* that, in absolute terms, the number of meetings provided with interpretation services was 10 per cent higher in the period 2003–2004 than in the period 2002–2003;

18. *Recalls* that meetings held by regional and other major groupings of Member States are provided with interpretation services on an ad hoc basis, in accordance with established practice;

19. *Requests* the Secretary-General to review the current established practice concerning the provision of interpretation services for meetings of regional and other major groupings of Member States at Headquarters and other duty stations, with a view to improving the provision of interpretation services to those meetings;

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[63] A/58/530.

B. Reform of the Department for General Assembly and Conference Management

1. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

2. *Notes* the steps taken by the Secretary-General in the implementation of the reform measures put forward in his report on the reform of the Department for General Assembly and Conference Management of the Secretariat[64] in accordance with section II.B of its resolutions 57/283 B and 58/250, and encourages the continued implementation of the measures described in paragraph 65 of his report, subject to the provisions of the present resolution;

3. *Appreciates* the efforts of the Secretary-General in providing timely and detailed information during the consideration of the item entitled "Revitalization of the work of the General Assembly";

4. *Affirms* that the consideration of and decisions on the revitalization of the General Assembly remain its prerogative;

5. *Stresses* that the participation of the Department in the revitalization of the General Assembly should focus on the timely provision of the documentation needed in order to facilitate the intergovernmental negotiation process;

6. *Stresses also* that future reports on the reform of the Department should concentrate only on its effort to this end;

7. *Stresses further* that the reform of the Department is aimed at improving the quality of documents and their timely production and delivery as well as the quality of conference services provided to Member States, with a view to meeting their needs as efficiently and cost-effectively as possible and in accordance with the relevant resolutions of the General Assembly;

8. *Reiterates its request* contained in section II.B, paragraph 3, of its resolution 58/250;

9. *Notes* the ongoing efforts towards the establishment of the integrated global management system, and decides to consider at its sixtieth session the current outcomes in the light of the report of the Office of Internal Oversight Services on this issue;[60]

10. *Also notes* the establishment by the Secretary-General of a Secretariat task force to conduct a comprehensive study of workload standards and performance measurement and the preliminary findings of the task force, and requests the Secretary-General to pursue the study of workload standards and performance measurement, in both qualitative and quantitative terms with a view to submitting to the General Assembly a proposal for a comprehensive methodology for performance measurement and management from a full-system perspective, while also paying attention to the specificities of all the official languages and ensuring compliance with resolution 58/250;

11. *Reiterates its request* that the Secretary-General develop further effective measures to strengthen the responsibility and accountability system within the Secretariat, including the establishment of an interdepartmental mechanism to monitor the process in order to ensure the timely submission of documents for processing, and that he report comprehensively thereon to the General Assembly at its sixtieth session through the Committee on Conferences;

12. *Requests* the Secretary-General to pursue the delivery of summary records, a useful and vital tool for Member States, in particular in maintaining the institutional memory of the Organization, in a more efficient and cost-effective manner in full consultation with all the relevant intergovernmental bodies;

13. *Also requests* the Secretary-General to examine the option of setting a time frame for the publication of summary records, to study the related practical and financial implications and to present a pilot project to the General Assembly at its sixtieth session;

14. *Further requests* the Secretary-General to elaborate on all options, including those set out in paragraphs 59 to 63 of his report,[64] in accordance with legislative mandates, and to report on their practical and financial implications to the General Assembly at its sixtieth session through the Committee on Conferences;

15. *Requests* the Secretary-General to develop further the functions of the Electronic Meetings Planning and Resource Allocation System (e-Meets) as the central tool for managing meetings to cover the entire spectrum of meeting-related activities and to continue consultations with other duty stations in order to expand its application across duty stations, or to integrate the system into other systems used in such offices;

16. *Also requests* the Secretary-General to continue his efforts to implement further the electronic documentation management concept (e-Doc), including the actual electronic transmission of documents through the documentation chain;

17. *Further requests* the Secretary-General to enhance the use of printing on demand for parliamentary documentation as a means of improving services provided to Member States, in full compliance with current legislative mandates, on the basis of experience gained and lessons learned, taking fully into account the special needs of developing countries and the views expressed by Member States, to consider the use of printing on demand for publications, and to report thereon to the General Assembly at its sixtieth session through the Committee on Conferences;

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[64] A/59/172.

III

Documentation and publication-related matters

1. *Emphasizes* the paramount importance of the equality of the six official languages of the United Nations;

2. *Notes with concern* the delay in the issuance of verbatim and summary records, and in this regard requests the Secretary-General to take appropriate measures to ameliorate the situation, with a view to issuing them in a timely manner;

3. *Notes with deep concern* that the six-week rule for the issuance of documents is not fully complied with owing to, inter alia, the continued late submission of documents by author departments, and requests the Secretary-General to take further urgent measures to ensure strict compliance with the six-week rule for the timely issuance of documentation in view of the impact of their late issuance on the functioning of intergovernmental and expert bodies, which was acutely felt during the main part of the fifty-ninth session;

4. *Notes* that the rate of compliance with the page limits remains only partial[65] and that reports not originating in the Secretariat comprise the bulk of the documents issued, and requests the Secretary-General to encourage compliance with drafting guidelines as set out in paragraph 15 of its resolution 53/208 B, to the extent possible, for such documents and to report on the matter to the General Assembly through the Committee on Conferences;

5. *Recalls* section III, paragraphs 25 to 28, of its resolution 57/283 B and section III, paragraph 10, of its resolution 58/250, and urges the Secretary-General to continue the consultations referred to in this context with a view to considering the possible broadening of the electronic distribution of documentation while maintaining the distribution of printed copies, as required, and to report on the matter to the General Assembly through the Committee on Conferences;

6. *Notes with concern* the violations of the rule that parliamentary documents must be distributed simultaneously in all official languages;

7. *Requests* the Secretary-General to ensure that the rules concerning the simultaneous distribution of documents in all official languages are followed with respect to both the distribution of printed copies and the posting of parliamentary documentation on the Official Document System of the United Nations and the United Nations web site, in keeping with section III, paragraph 5, of resolution 55/222;

8. *Notes with concern* the non-compliance with rule 59 of the rules of procedure of the General Assembly, and requests the Secretary-General to ensure the communication of resolutions adopted by the Assembly to Member States within fifteen days after the closure of the session;

9. *Decides* that the issuance of documents on planning, budgetary and administrative matters requiring urgent consideration by the General Assembly shall be accorded priority;

IV

Translation and interpretation-related matters

1. *Requests* the Secretary-General to ensure the highest quality of interpretation and translation services in all official languages;

2. *Notes with appreciation* the continued practice of holding informational meetings with Member States to consult with them on the improvement of the language services and the intention to establish additional channels for communication on the terminology used and the quality of services rendered, and requests the Secretary-General to organize informational meetings twice a year and in a more appropriate setting, with interpretation provided on an as-available basis;

3. *Requests* the Secretary-General, when recruiting temporary assistance in language services, to ensure that all the language services are given equal treatment and are provided with equally favourable working conditions and resources with a view to achieving maximum quality of their services, with full respect for the specificities of the six official languages, taking into account their respective workloads;

4. *Reiterates its request* that the Secretary-General continue the efforts to explore the use of new technologies, such as computer-assisted translation, remote and off-site translation and speech recognition, in the six official languages so as to enhance further the quality and productivity of the conference services, and to keep the General Assembly informed of the introduction of any other new technology;

5. *Expresses deep concern* for the high level of self-revision, and requests the Secretary-General to submit a comprehensive report on the matter to the General Assembly at its sixtieth session through the Committee on Conferences;

6. *Reiterates its request* to the Secretary-General, in updating the workload standards, to address the question of the appropriate level of self-revision that is consistent with quality in all official languages and to report thereon to the General Assembly at its sixtieth session;

7. *Requests* the Secretary-General to make sure that terminology used in translation and interpretation services reflects the latest linguistic norms and terminology of the official languages in order to ensure the highest quality;

8. *Expresses deep concern* at the high vacancy rates in interpretation and translation services at the United Nations

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[65] See A/59/159, paras. 36–46.

Office at Nairobi and especially the chronic difficulty in staffing the Arabic Interpretation Unit;

9. *Notes with concern* the sharp disparities in interpretation and translation vacancy rates between the United Nations Office at Nairobi and the other duty stations;

10. *Requests* the Secretary-General to pay greater attention to succession planning in order to fill emerging vacancies in language services in a timely manner through outreach to eligible applicants;

11. *Also requests* the Secretary-General to continue conducting competitive examinations in all official languages in order to fill emerging vacancies in language services in a timely manner;

V

Information technology

1. *Notes* the progress achieved thus far across duty stations in integrating information technology into management and documentation-processing systems and the global approach to sharing standards, good practices and technological achievements among the conference services at all duty stations;

2. *Welcomes* efforts undertaken by the Secretary-General at the United Nations Office at Nairobi to include the Office in sharing of standards, good practices and technological achievements with the other United Nations Offices, consistent with its operational requirements;

3. *Requests* the Secretary-General to intensify the efforts to strengthen the information technology capacity at the United Nations Office at Nairobi, to redeploy existing resources, as appropriate, to meet emerging priorities and to revert to this issue, as appropriate, in the context of the regular budget for the period 2006–2007;

4. *Also requests* the Secretary-General to ensure the compatibility of technologies used in all duty stations and to ensure that they are user-friendly for all official languages;

VI

1. *Notes* the comments in paragraphs 56 to 60 of the report of the Secretary-General,[66] and paragraphs 12 to 14 of the report of the Committee on Conferences;[56]

2. *Decides* to revert to the issue of biennialization of the agenda item entitled "Pattern of conferences" in the context of improving the working methods of the Fifth Committee.

RESOLUTION 59/266

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/650, para. 7)[67]

59/266. Human resources management

The General Assembly,

Recalling Articles 8, 97, 100 and 101 of the Charter of the United Nations,

Recalling also its resolutions 49/222 A and B of 23 December 1994 and 20 July 1995, 51/226 of 3 April 1997, 52/219 of 22 December 1997, 52/252 of 8 September 1998, 53/221 of 7 April 1999, 55/258 of 14 June 2001, 57/305 of 15 April 2003 and 58/296 of 18 June 2004, as well as its other relevant resolutions and decisions,

Having considered the relevant reports on human resources management questions submitted to the General Assembly for its consideration[68] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[69]

I

Human resources management reform

1. *Reaffirms* the principles set out in sections I and II of its resolution 53/221 and section I of its resolution 55/258 concerning human resources management and the role of the Office of Human Resources Management of the Secretariat;

2. *Affirms* that the Office of Human Resources Management shall remain the central authority within the Secretariat for the interpretation and enforcement of the Staff Regulations and Rules, without prejudice to regulation 12.3;

3. *Stresses* the crucial importance of a transparent and timely flow of information from the Secretariat to Member States in matters related to human resources management reform;

4. *Requests* the Secretary-General in future reports on mandated human resources management reform to include full information on achievements and the impact of its implementation;

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[66] A/59/159.

[67] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[68] A/58/283, A/58/666, A/58/704, A/59/65-E/2004/48 and Add.1, A/59/152, A/59/211, A/59/213, A/59/217, A/59/222, A/59/253, A/59/263 and Add.1 and 2, A/59/264, A/59/291, A/59/299, A/59/357, A/59/388, A/C.5/58/L.13 and A/C.5/59/4.

[69] A/59/446.

5. *Stresses* that any proposals for changes in the building blocks of reform should be accompanied by transparent information for Member States on those changes;

6. *Recalls* section VII of its resolution 55/258, in which the General Assembly, inter alia, requested the Secretary-General to ensure that well-designed mechanisms of accountability are put in place before delegating authority to programme managers;

7. *Stresses* the need to ensure that adequate mechanisms are in place to ensure the accountability of programme managers for the implementation of human resources policies and the achievement of objectives contained in human resources action plans;

8. *Emphasizes* that effective accountability mechanisms are an integral and essential element of human resources management reform, and requests the Secretary-General to strengthen such mechanisms throughout the Organization;

9. *Requests* the Secretary-General to continue to improve the effectiveness of human resources action plans for achieving the human resources objectives of the Organization, including with respect to equitable geographical distribution and gender representation, as mandated by the General Assembly, and further requests him to report thereon to the Assembly at its sixty-first session;

10. *Also requests* the Secretary-General to reconstitute the Accountability Panel so as to strengthen the internal system of accountability, including with respect to human resources policies and objectives, and to ensure that the Panel has the authority necessary to hold programme managers accountable for their performance in achieving the objectives contained in human resources action plans;

11. *Stresses* that the staff selection system must provide transparency and fairness;

12. *Emphasizes* the importance of the participation of staff representatives in the work of the central review bodies, and requests the Secretary-General and invites staff representatives to engage in a consultative process with a view to resuming the participation of staff representatives in the work of the central review bodies;

13. *Requests* the Secretary-General to make every effort to ensure that the central review bodies discharge fully and effectively their roles in the staff selection system, as foreseen in annex II to the report of the Secretary-General entitled "Human resources management reform"[70] and subsequently approved by the General Assembly in its resolution 55/258, including by addressing the deficiencies identified in the report of the Office of Internal Oversight Services,[71] and to make proposals to amend the terms of reference of the central review bodies as necessary in the light of experience;

14. *Recalls its request* to the Secretary-General contained in section II, paragraph 2, of its resolution 51/226, as reiterated in section IV, paragraph 10, of its resolution 53/221, section VII of its resolution 55/258 and section III of its resolution 57/305, to enhance managerial accountability with respect to human resources management decisions, including imposing sanctions in cases of demonstrated mismanagement of staff and wilful neglect of, or disregard for, established rules and procedures, while safeguarding the right of due process of all staff members, including managers, and requests the Secretary-General to report comprehensively thereon to it at its sixty-first session;

15. *Requests* the Secretary-General to continue his efforts, as described in paragraphs 130 to 132 of his report,[72] to report to the General Assembly on the experiences gained in the implementation of such measures and to make additional proposals for action by the Assembly as appropriate;

16. *Notes with concern* paragraph 91 of the report of the Secretary-General,[72] and requests the Secretary-General to reassess the situation;

II

Recruitment and placement

1. *Requests* the Secretary-General to ensure that the highest standards of efficiency, competence and integrity serve as the paramount consideration in the employment of staff, with due regard for the principle of equitable geographical distribution, in accordance with Article 101, paragraph 3, of the Charter of the United Nations;

2. *Recognizes* the value of a transparent process of recruitment, placement and promotion in the Organization;

3. *Notes* the proposal of the Secretary-General,[73] on the recommendation of the Office of Internal Oversight Services,[74] to reduce the time required for advertising a vacancy from 60 to 45 days, and decides to revert to this issue in the context of a comprehensive study addressing all factors contributing to the process of selection, recruitment and placement at its sixty-first session;

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[70] A/55/253 and Corr.1.

[71] See A/59/253.

[72] A/59/263.

[73] Ibid., para. 189.

[74] A/59/253, para. 103.

4. *Requests* the Secretary-General to continue his efforts to reduce the period required to fill vacancies by addressing all factors contributing to delays in the process of selection, recruitment and placement and to report thereon to the General Assembly at its sixty-first session;

5. *Also requests* the Secretary-General to continue to maintain a system of circulating printed copies of all vacancy announcements, in accordance with its resolution 57/305, for distribution to all delegations, except those which indicate otherwise;

6. *Reaffirms* the need to respect the equality of each of the two working languages of the Secretariat, reaffirms also the use of additional working languages in specific duty stations as mandated, and in this regard requests the Secretary-General to ensure that vacancy announcements specify the need for either of the working languages of the Secretariat unless the functions of the post require a specific working language;

7. *Requests* the Secretary-General to report on the definition of language posts to the General Assembly at its sixty-first session in the context of his report on the composition of the Secretariat;

8. *Expresses its concern* over the deficiencies in the recruitment of international civilian staff in peacekeeping missions as referred to by the Office of Internal Oversight Services in its report,[75] and requests the Secretary-General to make efforts to rectify the situation and to report thereon to the General Assembly at its sixty-first session;

9. *Notes with concern* the range of weaknesses related to the Galaxy support tool identified by the Office of Internal Oversight Services in its report;[71]

10. *Requests* the Secretary-General to fully develop the Galaxy support tool and make it more efficient and user-friendly for the purpose of efficient recruitment, as embodied in Article 101 of the Charter, and to ensure that all applicants are informed about the final result of their applications in a timely fashion;

11. *Also requests* the Secretary-General to ensure the conversion of all printed applications into electronic form upon their submission for inclusion in the Galaxy system and to ensure that those applications are considered in the filling of advertised vacancies, and to report thereon to the General Assembly at its sixty-first session;

12. *Further requests* the Secretary-General to continue to develop screening mechanisms that ensure that all applications submitted in the Galaxy system are treated fairly, that well-qualified candidates are given due consideration and that keywords outside of the vacancy announcements are not used to exclude well-qualified candidates;

13. *Requests* the Secretary-General to continue to take the steps necessary to ensure that Galaxy is available in both of the working languages of the Organization;

14. *Reiterates its requests* to the Secretary-General to inform Member States monthly, through the Internet, through the United Nations public web site and, upon request, in printed form of appointments made;

III

National competitive examination and General Service to Professional examination

1. *Reiterates its decision* that the recruitment of qualified staff from the General Service to the Professional category should be limited to the P-1 and P-2 levels and should be permitted for up to 10 per cent of the appointments at those levels;

2. *Authorizes* the Secretary-General to appoint to posts not subject to geographical distribution at the P-2 level up to seven successful candidates from the General Service to Professional examination each year;

3. *Also authorizes* the Secretary-General to appoint to P-2 posts in duty stations with chronically high vacancy rates up to three successful candidates from the General Service to Professional examination each year when no successful candidates from the national competitive examination are available;

4. *Requests* the Secretary-General to make special efforts to appoint to the relevant vacant posts in the Secretariat successful candidates from unrepresented and underrepresented Member States who have passed the national competitive examination;

5. *Also requests* the Secretary-General to ensure the expeditious placement in appropriate posts of as many candidates as feasible who have been placed on the roster following the successful completion of national competitive examinations;

6. *Reiterates* section II, paragraph 43, of its resolution 57/305, and requests the Secretary-General to apply strictly the relevant administrative instruction for recruitment at the P-3 level and to report thereon to the General Assembly at its sixty-first session;

IV

Measures to improve equitable geographical distribution

1. *Notes with appreciation* the progress made since 1994 in reducing the number of countries that are unrepresented and underrepresented;

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[75] See A/59/152.

2. *Requests* the Secretary-General to continue his ongoing efforts to attain equitable geographical distribution in the Secretariat and to ensure as wide a geographical distribution of staff as possible in all main departments and offices of the Secretariat;

3. *Welcomes* the continuing efforts of the Secretary-General to improve the situation of unrepresented and underrepresented Member States and of those in danger of becoming underrepresented under the system of desirable ranges;

4. *Notes* the low percentage of appointments of staff from unrepresented and underrepresented Member States to posts subject to geographical distribution in 2004;

5. *Notes with concern* the decline in the proportion of nationals of developing countries in posts at the senior and policy-making levels of the Secretariat;

6. *Reiterates its request* that the Secretary-General take all measures necessary to ensure, at the senior and policy-making levels of the Secretariat, equitable representation of Member States, especially those with inadequate representation at those levels, including unrepresented and underrepresented States, in particular developing countries, in accordance with the relevant resolutions of the General Assembly, and to continue to include relevant information thereon in all future reports on the composition of the Secretariat;

7. *Notes* that the system of geographic ranges was designed to apply to countries rather than regions or groups;

8. *Recalls* section II, paragraph 30, of its resolution 57/305, and reiterates its request that the Secretary-General include an analysis of the level of underrepresentation in his next report on the composition of the Secretariat;

9. *Authorizes* the Secretary-General, for a trial period of two years during which the procedures would be fully developed, to establish a special roster of candidates from unrepresented and underrepresented Member States, as proposed in paragraphs 21 and 22 of his report,[76] for a number of posts at the P-4 and P-5 levels only, until such Member States are within the desirable ranges, and requests the Secretary-General to report thereon to the General Assembly at its sixty-first session;

10. *Welcomes* the practice of conducting recruitment missions to unrepresented and underrepresented Member States, and requests the Secretary-General to intensify those efforts in order to increase the number of recruits from those Member States after going through the regular recruitment procedures for advertised vacancies;

11. *Reiterates its request* contained in section II, paragraph 29, of its resolution 57/305 that the Secretary-General set specific targets as well as develop a programme for achieving equitable geographical representation;

12. *Notes* the number of overrepresented countries under the system of desirable ranges, and requests the Secretary-General to provide the General Assembly with analytical information on this issue in the framework of his report on the composition of the Secretariat;

13. *Reaffirms* that, in accordance with its resolutions 41/206 B of 11 December 1986, 53/221, 55/258 and 57/305, no post should be considered the exclusive preserve of any Member State or group of States, including at the highest levels, and reiterates its request that the Secretary-General ensure that, as a general rule, no national of a Member State succeeds a national of that State in a senior post and that there is no monopoly on senior posts by nationals of any State or group of States, and to report thereon to the General Assembly at its sixty-first session;

V

System of equitable geographical distribution

1. *Reiterates its request* that the Secretary-General, as approved in its resolution 42/220 A of 21 December 1987, fully reach the level of posts subject to geographical distribution, which currently stands at 2,783;

2. *Also reiterates its request* that the Secretary-General submit the report requested in section IX, paragraph 2, of its resolution 57/305, which will include an assessment of the issues related to possible changes in the number of posts subject to the system of geographical distribution, and requests the Secretary-General to submit the report to the General Assembly by the second part of its resumed fifty-ninth session;

3. *Recalls* section IX, paragraph 1, of its resolution 57/305, and decides to revert to this subject at its sixty-first session;

4. *Requests* the Board of Auditors to conduct an audit of the implementation of the principle of equitable geographical representation in the Secretariat at all levels, as set out in relevant resolutions of the General Assembly, and to verify the application of established measures of transparency and accountability at all levels of the selection, recruitment and placement process in compliance with relevant resolutions of the Assembly;

5. *Also requests* the Board of Auditors to submit its findings and recommendations to the General Assembly at its sixty-first session for consideration and action;

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[76] A/59/264.

VI

Gender representation

1. *Reaffirms* the goal of 50/50 gender distribution in all categories of posts within the United Nations system, especially at the senior and policy-making levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101 of the Charter, and regrets that progress towards attaining this goal has been slow;

2. *Expresses concern* at the continuing low proportion of women in the Secretariat, in particular the low proportion among them of women from developing countries, especially at the senior levels, and stresses that the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing countries, should be taken into account and that those women should be accorded equal opportunities in the recruitment process, in full conformity with relevant resolutions;

3. *Notes with concern* that, in posts subject to the system of desirable ranges, 26 women from developing countries were recruited between 1 July 2003 and 30 June 2004 among the 86 women appointed during that period;

4. *Requests* the Secretary-General to increase his efforts to attain and monitor the goal of gender parity in the Secretariat, in particular at senior levels, and in this context to ensure that women, especially those from developing countries and countries with economies in transition, are appropriately represented within the Secretariat, and to report thereon to the General Assembly at its sixty-first session;

5. *Also requests* the Secretary-General, in the context of attaining this goal, to develop and implement recruitment targets, time frames for meeting those targets and accountability measures;

6. *Further requests* the Secretary-General to clarify the role of departmental focal points, including in the context of the staff selection system, and their participation in the development and monitoring of the departmental human resource action plans;

7. *Encourages* Member States to support the efforts of the Secretary-General by identifying more women candidates and encouraging them to apply for appointment to positions in the Secretariat and by creating awareness among their nationals, particularly women, of vacancies in the Secretariat;

VII

Post structure

Requests the Secretary-General to make proposals to the General Assembly, as appropriate, to reform the post structure with a view to considering a possible increase in the proportion of P-2 and P-3 posts, taking advantage of the opportunity provided by the retirement of many senior staff in the coming years;

VIII

Mobility

1. *Reaffirms* section V of its resolution 55/258, as well as the segment on mobility contained in section II of its resolution 57/305, and notes its previous requests to the Secretary-General in this regard;

2. *Stresses*, in this regard, that when implementing mobility policies, the Secretary-General should ensure that:

(*a*) Mobility does not negatively affect the continuity and the quality of services and the institutional memory and capacity of the Organization;

(*b*) Mobility does not lead to the transfer or abolition of posts as a result of vacancies;

(*c*) Mobility has a positive impact in filling existing high vacancy rates at some United Nations duty stations and regional commissions;

(*d*) There is a clear differentiation between mobility within duty stations and mobility across duty stations and that the latter is a more important factor in career development;

(*e*) Mobility is encouraged for all posts in the Professional and higher categories;

3. *Notes* that the implementation of mobility policies, while recognizing their anticipated positive effects, may also give rise to problems and challenges that should be addressed;

4. *Requests* the Secretary-General to take the steps necessary to ensure that mobility is not used as an instrument of coercion against staff and to ensure that appropriate monitoring and accountability measures are in place;

5. *Notes* the measures to facilitate the implementation of mobility policies set out in paragraph 85 of the report of the Secretary-General,[72] and requests the Secretary-General to develop a strategic plan with indicators, benchmarks, time lines and clear criteria for the implementation of mobility policies and to report thereon, including with information on the financial implications, to the General Assembly at its sixty-first session for its consideration and action in order to solve any problems;

6. *Requests* the Secretary-General to continue to consult with staff in the development of mobility policies;

7. *Requests* the International Civil Service Commission, within its mandate, to keep under review the question of mobility in the United Nations common system, including its implications for career development, and to make recommendations to the General Assembly, as appropriate, in the context of its annual reports;

8. *Requests* the Secretary-General to consider the use of incentives with a view to encouraging staff to move to duty stations with chronically high vacancy rates;

9. *Reiterates* section II, paragraph 51, of its resolution 57/305, in which the General Assembly encouraged the Secretary-General to expedite, as appropriate, agreements between the Secretariat and the United Nations funds and programmes and the specialized agencies for all staff levels in relation to mobility, and requests the Secretary-General to report thereon to the Assembly at its sixty-first session;

10. *Invites* host countries, as appropriate, to review their policies for granting work permits to spouses of United Nations staff;

11. *Invites* the Secretary-General to continue to explore ways of assisting spouses to find employment opportunities, in consultation with host Governments where necessary, including by taking measures to expedite the issuance of work permits;

12. *Acknowledges* that mobility needs to be supported through greater efforts to improve conditions of life and work at the various duty stations;

IX

Contractual arrangements

Takes note of the report of the Secretary-General on contractual arrangements,[77] and decides to revert to the issue at its sixtieth session in the context of its consideration of the report of the International Civil Service Commission on contractual arrangements with a view to taking a decision;

X

Use of appointments under the 100 and 300 series of the Staff Rules in the staffing of field missions

1. *Decides* to continue to suspend the application of the four-year maximum limit for appointments of limited duration under the 300 series of the Staff Rules in peacekeeping operations until 30 June 2005;

2. *Authorizes* the Secretary-General, bearing in mind paragraph 1 above, to reappoint under the 100 series of the Staff Rules those mission staff whose service under 300-series contracts has reached the four-year limit by 31 December 2004 or later, pending a decision by the General Assembly, provided that their functions have been reviewed and found necessary and their performance has been confirmed as fully satisfactory, and requests him to report thereon to the General Assembly at the second part of its resumed fifty-ninth session;

3. *Requests* the Secretary-General to submit proposals for which functions are relevant for reappointment under the 100 series for consideration and action by the General Assembly at the second part of its resumed fifty-ninth session;

4. *Also requests* the Secretary-General to continue the practice of using 300 series contracts as the primary instrument for the appointment of new mission staff, pending a decision by the General Assembly on the report requested above;

5. *Requests* the International Civil Service Commission, as a matter of high priority, to review the contractual instruments available for the employment of common system staff in the field, including the practice of conversion to the 100 series from other contractual arrangements, and requests the Commission to present an analysis to the General Assembly at its sixty-first session of the desirability and feasibility of harmonizing conditions of service in the field, including at non-family duty stations, and to provide full details of the financial implications;

6. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a comprehensive report with proposals for conditions of field service addressing, inter alia, the feasibility and desirability of conditions of service distinct to peacekeeping operations and the feasibility and desirability of harmonized conditions of field service in the United Nations;

7. *Recognizes* the authority of the Secretary-General to assign and deploy staff according to the operational needs of the Organization, and requests him to limit the assignment of staff, in particular General Service staff, from Headquarters and other established offices to field missions unless required by operational necessity or the unavailability of requisite skills in local labour markets;

XI

Consultants and individual contractors

1. *Endorses* the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraphs 59 to 61 of its report,[69] and requests the Secretary-General to report to the General Assembly at its sixty-first session on the use of consultants and individual contractors, including actions taken to improve the monitoring capacity of the Office of Human Resources Management on this issue;

2. *Reaffirms* that consultants shall not perform functions of staff members of the Organization or have any representative or supervisory responsibility;

3. *Reiterates* that the Secretary-General should refrain from using consultants to carry out functions assigned to established posts and that consultants should be hired only in strict accordance with existing rules and relevant General Assembly resolutions and where expertise is not available within the Organization;

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[77] A/59/263/Add.1.

4. *Also reiterates* that in areas where consultants are frequently hired for a period of more than one year, the Secretary-General should submit proposals, where necessary, for the establishment of posts and should report thereon to the General Assembly at its sixty-first session;

XII

Employment of retired former staff

1. *Notes with concern* the increased use of retired former staff members in substantive areas and in decision-making positions;

2. *Also notes with concern* that the lack of proper succession planning has a negative impact on the rejuvenation of the Organization and on attaining core human resources targets;

3. *Endorses* the views expressed by the Advisory Committee on Administrative and Budgetary Questions in paragraphs 63 and 65 of its report;[69]

4. *Reiterates its request* to the Secretary-General to ensure that the employment of retired former staff has no adverse effects on the career planning and mobility of other United Nations staff members;

5. *Requests* the Secretary-General to have recourse to the employment of retired former staff only if the operational requirements of the Organization cannot be met by existing staff;

6. *Stresses* that the hiring of retired former staff should be on an exceptional basis, and in this regard encourages the Secretary-General to fill vacant posts at senior and decision-making levels through the established staff selection process;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the use of retired former staff and to develop clear criteria for the selection of the retired former staff, in particular in the Professional category;

XIII

Study of availability of skills in local labour markets

Having considered the report of the Office of Internal Oversight Services on the availability in local labour markets of the skills for which international recruitment for General Service staff takes place,[78]

1. *Requests* the Secretary-General to conduct a study on the availability of skills in local labour markets for which international recruitment for General Service staff takes place and, drawing on the findings, to reassess the determination made in 1975 that recruitment from outside the area of the duty station is necessary to staff the text-processing units, bearing in mind the need for the highest standards of quality relevant to the language function, and to report to the General Assembly at its sixtieth session;

2. *Decides* to revert to its consideration of the issue and of the report of the Office of Internal Oversight Services[78] at its sixtieth session in the context of its consideration of the report requested in paragraph 1 above;

XIV

Office of the United Nations High Commissioner for Human Rights

1. *Welcomes* the report of the Joint Inspection Unit on its management review of the Office of the United Nations High Commissioner for Human Rights,[79] and notes the observations of the Secretary-General on the report and the actions of the Office to implement the recommendations of the Joint Inspection Unit;[80]

2. *Emphasizes* that recruitment in the Office of the United Nations High Commissioner for Human Rights should be done in full consultation with and under the guidance of the Office of Human Resources Management, consistent with the provisions of the present resolution and other relevant legislative mandates;

3. *Notes* that the Joint Inspection Unit will submit a follow-up report on this issue to the General Assembly at its sixty-first session for consideration under relevant agenda items;

XV

Measures to prevent discrimination

1. *Takes note* of the report of the Secretary-General on measures to prevent discrimination on the basis of nationality, race, gender, religion or language in the United Nations,[81] and requests him to develop further measures, as necessary, in cooperation with the Office of Internal Oversight Services and the Joint Inspection Unit, to prevent such discrimination, in accordance with the principles of the Charter and the provisions of the Staff Regulations and Rules of the United Nations, and to report thereon to the General Assembly at its sixty-first session;

2. *Decides* to revert to the consideration of the report of the Secretary-General[81] in the context of the agenda item entitled "Administration of justice at the United Nations" during the first part of its resumed fifty-ninth session;

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[78] See A/59/388.

[79] See A/59/65-E/2004/48.

[80] See A/59/65/Add.1-E/2004/48/Add.1.

[81] A/59/211.

XVI

Staff-management consultations

1. *Takes note* of the views expressed by staff representatives in the Fifth Committee, stresses the importance of a meaningful dialogue on human resources management issues between staff and management, and calls upon both parties to intensify efforts to overcome differences and to resume the consultative process;

2. *Reiterates its requests* that the Secretary-General take into account the views of staff representatives, in accordance with article VIII of the Staff Regulations and Rules and resolution 35/213 of 17 December 1980;

XVII

Other matters

1. *Stresses* that all administrative issuances of the Secretary-General related to the implementation of resolutions and decisions of the General Assembly shall be in full compliance with such resolutions and decisions and shall be reported to the Assembly in conformity with the established regulations, rules and procedures;

2. *Reaffirms* that, in accordance with staff regulation 1.2, staff members shall not be actively associated with the management of, or hold a financial interest in, any profit-making, business or other concern if it were possible for the staff member or the profit-making, business or other concern to benefit from such association or financial interest by reason of his or her position with the United Nations;

XVIII

Reporting

Requests the Secretary-General to submit to the General Assembly for consideration at its sixty-first session consolidated reports, as appropriate, on the results of the implementation of the present resolution.

RESOLUTION 59/267

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/646, para. 8)[82]

59/267. Reports of the Joint Inspection Unit

The General Assembly,

Reaffirming its previous resolutions on the Joint Inspection Unit, in particular resolutions 31/192 of 22 December 1976, 50/233 of 7 June 1996, 54/16 of 29 October 1999, 55/230 of 23 December 2000, 56/245 of 24 December 2001, 57/284 A and B of 20 December 2002 and 58/286 of 8 April 2004,

Having considered the report of the Joint Inspection Unit for 2003,[83] the note by the Secretary-General transmitting the programme of work of the Joint Inspection Unit for 2004[84] and the report of the Secretary-General on the implementation of the recommendations of the Joint Inspection Unit,[85]

Noting with appreciation the recent adoption by the Joint Inspection Unit of internal working procedures and mechanisms to complement its standards and guidelines, which are aimed at improving the quality and impact of the Unit's activities,

Recognizing that in order for the Unit to further improve its effectiveness, the provisions of the statute of the Unit should be fully implemented,

1. *Takes note with appreciation* of the report of the Joint Inspection Unit for 2003;[83]

2. *Takes note* of the note by the Secretary-General transmitting the programme of work of the Unit for 2004;[84]

3. *Also takes note* of the report of the Secretary-General on the implementation of the recommendations of the Unit;[85]

4. *Decides* to discontinue the requirement for the report of the Secretary-General on the implementation of the recommendations of the Unit;

5. *Considers* that the implementation in full of the provisions of the statute of the Unit should contribute to the enhancement of its role and an increase in the effectiveness of its activities;

6. *Urges* Member States requested to propose candidates for membership in the Unit to strictly adhere to the qualifications and experience outlined in article 2, paragraph 1, of the statute;

7. *Stresses* the importance of ensuring that candidates have experience in at least one of the fields illustrated as follows: oversight, audit, inspection, investigation, evaluation, finance, project evaluation, programme evaluation, human resources management, management, public administration, monitoring and/or programme performance, as well as knowledge of the United Nations system and its role in international relations;

8. *Invites* the President of the General Assembly to ensure the full implementation of the procedures and

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[82] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[83] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 34* (A/59/34).

[84] A/59/75.

[85] A/59/349.

mechanisms for reviewing the qualifications of proposed candidates as outlined in article 3, paragraph 2, of the statute of the Unit, including through joint consultations with the President of the Economic and Social Council and the Chairman of the United Nations System Chief Executives Board for Coordination,[86] as well as drawing, as appropriate, on relevant expertise from expert and intergovernmental bodies concerned with budgetary and human resources matters, and with consultations with the States concerned, after which the President of the Assembly submits the list of such candidates to the Assembly for appointment;

9. *Also invites* the President of the General Assembly to review the procedures followed by the Assembly for the appointment of inspectors, with a view to enhancing the efficiency of the application of article 3, paragraph 2, of the statute, bearing in mind the procedures followed for the selection of members of other expert bodies and to report to the Assembly at the first part of its resumed sixtieth session for its decision, as appropriate;

10. *Reaffirms* article 11, paragraph 2, of the statute of the Unit, and requests that the Unit, as a whole, also take responsibility in the exercise of its collective wisdom with regard to all its reports, notes and recommendations, in order to improve the effectiveness of the Unit;

11. *Re-emphasizes* paragraph 9 of its resolution 56/245;

12. *Decides* that the Unit shall perform its functions and responsibilities strictly in accordance with the provisions of its statute;

13. *Also decides* that the programme of work of the Unit shall be collectively approved, providing the rationale for choice as well as the relevance of the envisaged outcome to improving management and methods and promoting greater coordination between organizations;

14. *Affirms* that, in the implementation of article 18 of the statute of the Unit, the Chair shall be responsible for overseeing the Unit's programme of work, including, in the event of disagreement, the division of assignments, and for enforcing the internal working procedures of the Unit to ensure, through collective responsibility, the quality of its reports;

15. *Welcomes* the peer review system established by the Unit, and decides that if, in the opinion of the majority of the inspectors, the report in question does not meet the established quality standards, the Chair shall reflect such views and the reasons therefor in the introduction to the report;

16. *Emphasizes* the desirability of continuity in the term of office of the Chair and Vice-Chair, and calls upon the Unit to bear this in mind in implementing article 18 of the statute, so as to re-elect the Chairman and the Vice-Chairman for overlapping terms, thereby balancing the need for institutional memory and reasonable rotation;

17. *Also emphasizes* the need to assess resource management from a system-wide perspective, including the contribution of, and coordination between, organizations;

18. *Decides* that the Unit shall mainly focus on identifying means to improve management and to ensure that optimum use is made of available resources, as stipulated in article 5, paragraphs 1 to 3, of the statute, and to this end the Unit will set out management criteria and methods for assessment of management performance and effectiveness relevant to participating organizations;

19. *Also decides* that the Unit shall include, in its annual reports, information on implementation and the results achieved by organizations in respect of their follow-up to the recommendations of the Unit, as endorsed by their legislative bodies, and the arrangements put in place by participating organizations for reporting thereon;

20. *Further decides* that the Unit, as part of its focus on management issues, should assess the development and application in participating organizations of the principle of accountability in its relevant reports;

21. *Decides* that the Unit shall undertake inspections with a sharp focus on the areas stipulated in article 5, paragraphs 1 to 3, of the statute, bearing in mind paragraphs 18 and 20 above;

22. *Invites* the Committee for Programme and Coordination, in performing its programmatic, coordination, monitoring and evaluation functions, as contained in its mandate, to consider relevant reports of the Unit;

23. *Requests* the Secretary-General to ensure that the staff recruited according to article 19 of the statute fully meet the qualifications and have proven experience in specific areas required to assist the Unit in the fulfilment of its functions, namely, inspection, investigation and evaluation;

24. *Reaffirms* that the working languages of the General Assembly are those of the Unit, in application of article 51 of the rules of procedure of the Assembly, and also reaffirms that the working languages of the Secretariat of the United Nations are those of the secretariat of the Unit, in application of Assembly resolution 2 (I) of 1 February 1946;

25. *Decides* to continue providing translation in all official languages for the reports of the Unit and also to provide interpretation, as necessary, within existing resources;

26. *Reaffirms its request* to the Secretariat and all participating organizations to facilitate the work of the Unit, including, in particular, through offering full access to all relevant information, as required by the Unit;

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[86] Formerly known as the Administrative Committee on Coordination.

27. *Also reaffirms its request* to the executive heads of the participating organizations that have not yet done so to take the steps necessary to facilitate the consideration of and action on the system of follow-up to the reports of the Unit, and invites the legislative organs concerned to consider the system and take action in that regard;

28. *Emphasizes* the need to ensure respect for the separate and distinct roles and functions of external and internal oversight mechanisms and also to strengthen the external oversight mechanisms;

29. *Decides* to consider the implementation of the provisions of the present resolution, which are aimed at increasing the effectiveness of the Unit, at its sixty-first session.

RESOLUTION 59/268

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/647, para. 9)[87]

59/268. United Nations common system: report of the International Civil Service Commission

The General Assembly,

Recalling its resolutions 51/216 of 18 December 1996, 52/216 of 22 December 1997, 53/209 of 18 December 1998, 55/223 of 23 December 2000, 56/244 of 24 December 2001, 57/285 of 20 December 2002 and 58/251 of 23 December 2003,

Having considered the report of the International Civil Service Commission for 2004,[88] the note by the Secretariat submitting the report of the Panel on the Strengthening of the International Civil Service[89] and the note by the Secretary-General on the findings and recommendations of the Panel,[90]

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

Convinced that the common system constitutes the best instrument through which to secure staff with the highest standards of efficiency, competence and integrity for the international civil service, as stipulated in the Charter of the United Nations,

Reaffirming the statute of the Commission and the central role of the Commission and the General Assembly in the regulation and coordination of the conditions of service of the United Nations common system,

Takes note of the report of the International Civil Service Commission for 2004;[88]

I

Conditions of service applicable to both categories of staff

A. Review of the pay and benefits system

1. *Notes* the information provided on the pilot study on broad banding and pay-for-performance;[91]

2. *Also notes* that if all three models of the pay-for-performance system were not tested, this could diminish the value of the pilot project and requests the Commission to keep this in mind in its further consideration of the issue, and encourages volunteering organizations to test all three models;

3. *Recognizes* that an effective and credible performance appraisal system is the key for the possible introduction of a pay-for-performance system, and requests the Commission to ensure that the performance appraisal systems in volunteer organizations are developed, in full consultation with staff members, and are clear, effective and credible for all the parties concerned, including Member States;

4. *Looks forward* to receiving from the Commission annual updates on the pilot studies on broad banding and pay-for-performance;

5. *Decides* that no new strategy or pilot project in broad banding or pay-for-performance should be undertaken until the General Assembly has had an opportunity to review the results of the pilot study on broad banding and pay-for-performance being conducted by the Commission;

6. *Requests* the Commission to report on the contemporary rationale for separate salary scales for single staff and those with dependants in the context of its report on pay and benefits review;

B. Contractual arrangements

Recalling section I.A, paragraph 4, of its resolution 57/285 of 20 December 2002,

Notes the intention of the Commission to submit to the General Assembly at its sixtieth session a final report on contractual arrangements;

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[87] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[88] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 30* (A/59/30), vols. I and II.

[89] A/59/153.

[90] A/59/399.

[91] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 30* (A/59/30), vol. I.

C. Mobility and hardship allowance

Recalling section VI of its resolution 51/216 of 18 December 1996, section I.C of its resolution 55/223 of 23 December 2000, and section II.A, paragraph 7, of its resolution 57/285 of 20 December 2002,

1. *Recognizes* the work undertaken by the Commission in reviewing the current mobility and hardship scheme in the context of the pay and benefits review;

2. *Takes note* of the decision taken by the Commission in paragraph 137 of its annual report;[91]

D. Hazard pay

Recalling sections I.D of its resolutions 57/285 of 20 December 2002 and 58/251 of 23 December 2003,

Takes note of the decision of the Commission contained in paragraph 147 of its annual report;[91]

E. Review of the level of the education grant

Recalling section IV of its resolution 51/216 of 18 December 1996, section III.A of its resolution 52/216 of 22 December 1997 and section I.E of its resolution 57/285 of 20 December 2002,

1. *Approves* the increases in the maximum reimbursement levels for fifteen countries, as well as other recommendations in respect of the reimbursement of expenses under the education grant, as recommended by the Commission in paragraphs 166 (*a*) to (*f*) of its annual report;[91]

2. *Reiterates its request* to the organizations of the common system to bring the matter of the payment of the education grant to staff members living in their own countries to the attention of their governing bodies, with a view to harmonizing the staff rules and regulations along the lines of those of the United Nations, and invites governing bodies to take the relevant actions;

3. *Requests* the Commission to inform the General Assembly at its sixtieth session as to the practices of other relevant civil services and international organizations concerning the provision of education grants;

F. Review of pensionable remuneration

Recalling section II, paragraph 6, of its resolution 51/217 of 18 December 1996,

Takes note of the decision of the Commission contained in paragraph 181 of its annual report;[91]

G. Review of allowances

1. *Requests* the Commission, in reviewing and modernizing the system of grants and allowances, to attach priority to enhancing transparency and administrative simplicity;

2. *Also requests* the Commission to inform the General Assembly at its sixtieth session on which entities it uses as comparators for the determination of entitlements such as leave and allowances, and to advise the Assembly on the merits and disadvantages of applying as a point of departure the practices of the civil service of the country used as comparator for salary purposes;

H. Common scale of staff assessment

Recalling its resolution 51/216 of 18 December 1996,

Takes note of the decision of the Commission contained in paragraph 188 of its annual report;[91]

I. Paternity leave

Takes note of the decision contained in paragraph 211 of the annual report of the Commission,[91] and confirms its recommendations to have paternity leave implemented throughout the common system within the parameters set forth in the report;

II

Conditions of service of staff in the Professional and higher categories

A. Examination of the Noblemaire principle and its application

Recalling its resolution 44/198 of 21 December 1989 and other relevant resolutions,

1. *Reaffirms* the continuing application of the Noblemaire principle;

2. *Also reaffirms* the need to continue to ensure the competitiveness of the conditions of service of the United Nations common system;

3. *Takes note* of the decision of the Commission contained in paragraph 273 of its annual report;[91]

B. Grade equivalencies between the United States federal civil service and the United Nations common system

Recalling section I.A of its resolution 50/208 of 23 December 1995, section II.B of its resolution 55/223 of 23 December 2000, and section I.A, paragraph 7, of its resolution 57/285 of 20 December 2002,

1. *Takes note* of the decision of the Commission contained in paragraph 276 of its annual report;[91]

2. *Requests* the Commission to include the review of grade equivalency in the study to determine the highest paid civil service on its work programme for 2005–2006;

C. Evolution of the margin

Recalling section I.B of its resolution 51/216 of 18 December 1996 and the standing mandate from the General Assembly, in which the Commission is requested to continue its review of the relationship between the net remuneration of the United Nations staff in the Professional and higher categories in New York and that of the comparator civil service (the United States federal civil service) employees in comparable positions in Washington, D.C. (referred to as "the margin"),

1. *Notes* that the margin between net remuneration of the United Nations staff in grades P-1 to D-2 in New York and that of officials in comparable positions in the United States federal civil service in Washington, D.C. for the period from 1 January to 31 December 2004 is 110.3, as shown in annex V to the annual report of the Commission;[91]

2. *Reaffirms* that the range of 110 to 120 for the margin between the net remuneration of officials in the Professional and higher categories of the United Nations in New York and the officials in comparable positions in the comparator civil service should continue to apply, on the understanding that the margin would be maintained at a level around the desirable midpoint of 115 over a period of time;

D. Base/floor salary scale

Recalling its resolution 44/198 of 21 December 1989, by which it established a floor net salary level for staff in the Professional and higher categories by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service (the United States federal civil service),

Approves, with effect from 1 January 2005, as recommended by the Commission, the revised base scale of gross and net salaries for staff in the Professional and higher categories, as contained in annex VI to the annual report of the Commission;[91]

E. Review of the level of children's and secondary dependants' allowances

Recalling section II.F of its resolution 47/216 of 23 December 1992,

Approves the recommendations of the Commission contained in paragraph 244 of its annual report;[91]

III

A. Senior Management Service

Recalling section I.A, paragraphs 5 and 6, of its resolution 57/285 of 20 December 2002,

1. *Recalls* that, in section I.A, paragraph 5, of its resolution 57/285 of 20 December 2002, it requested the Commission to review the proposal for the introduction of the Senior Management Service, as described in paragraph 80 of the annual report of the Commission,[92] in view of its intention to consider the question at its fifty-eighth session;

2. *Also recalls* that the Commission requested the United Nations System Chief Executives Board for Coordination to keep it informed and to report appropriately about the related developmental work proceeding under the auspices of the Board;

3. *Further recalls* its decision 55/488 of 7 September 2001;

4. *Reaffirms* articles 9 and 10 of the statute of the Commission;

5. *Recognizes* that measures to improve management capacity and performance among senior staff are highly desirable;

6. *Affirms* that the Commission is the only body responsible for recommending to the General Assembly the establishment of a separate category of staff for the common system;

7. *Requests* the Commission to continue to monitor the project regarding the improvement of management capacity and performance among senior staff by the United Nations System Chief Executives Board for Coordination, and to advise and make recommendations to the General Assembly as appropriate;

8. *Requests* the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to redesignate the Senior Management Service to reflect its character as a set of collaborative efforts to enhance the managerial capacity and performance of senior staff by respective executive heads and to report to the General Assembly at its sixtieth session, clarifying the scope and content of such efforts, for consideration and action if it deems it necessary;

B. Gender balance in the United Nations system

1. *Notes with concern*, as pointed out by the Commission with regard to the organizations of the United Nations common system, that the rate of advancement of women had slowed over the years and that only limited progress had been made;

2. *Takes note* of the decision of the Commission in paragraph 297 of its annual report,[91] and requests it to provide information on the outcome of its consideration of the report on further progress in this field;

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[92] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 30* (A/57/30).

IV

Strengthening of the international civil service

Decides to revert to the consideration of the report of the Panel on the Strengthening of the International Civil Service and the recommendations therein[89] and the note by the Secretary-General on the findings and recommendations of the Panel[90] during the first part of its resumed fifty-ninth session.

RESOLUTION 59/269

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/606, para. 6)[93]

59/269. United Nations pension system

The General Assembly,

Recalling its resolutions 51/217 of 18 December 1996, 53/210 of 18 December 1998, 55/224 of 23 December 2000 and 57/286 of 20 December 2002, section V of its resolution 54/251 of 23 December 1999 and of its resolution 56/255 of 24 December 2001, and section X of its resolution 58/272 of 23 December 2003,

Having considered the report of the United Nations Joint Staff Pension Board on its fifty-second session,[94] the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund[95] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[96]

I

Actuarial matters

Recalling section I of its resolution 57/286,

Having considered the results of the actuarial valuation of the United Nations Joint Staff Pension Fund as at 31 December 2003 and the observations thereon by the Consulting Actuary of the Fund, the Committee of Actuaries and the United Nations Joint Staff Pension Board,

1. *Takes note* of the developments with respect to the actuarial surplus of the United Nations Joint Staff Pension Fund, which went from 0.36 per cent of pensionable remuneration as at 31 December 1997 to 4.25 per cent of pensionable remuneration as at 31 December 1999 to 2.92 per cent of pensionable remuneration as at 31 December 2001 and to 1.14 per cent of pensionable remuneration as at 31 December 2003, and, in particular, of the opinions on those developments provided by the Consulting Actuary and the Committee of Actuaries, as reproduced in annexes VII and VIII, respectively, to the report of the United Nations Joint Staff Pension Board on its fifty-second session;[97]

2. *Also takes note* of the Board's agreement with the recommendation of the Committee of Actuaries that most of the surplus should be retained;

3. *Further takes note* of the view of the Committee of Actuaries and the recommendation of the Board that the current contribution rate of 23.7 per cent of pensionable remuneration should be maintained;

4. *Takes note* of the Board's approval of the terms of reference for the Committee of Actuaries, and notes that the Standing Committee of the Board will consider in 2005 provisions that would allow for the possible appointment of ad hoc members to the Committee of Actuaries;

5. *Concurs*, in accordance with article 13 of the Regulations of the Fund and with a view to securing continuity of pension rights:

(*a*) With the revised transfer agreements of the Fund with the Organization for Security and Cooperation in Europe and the World Trade Organization, as approved by the Board and set out in annex IX to the report of the Board,[97] which will supersede existing transfer agreements, effective 1 January 2005;

(*b*) With the new transfer agreements of the Fund with the Universal Postal Union and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, as approved by the Board and set out in annexes I and II, respectively, to the addendum to the report of the Board,[98] which will become effective on 1 January 2005;

6. *Decides*, upon the affirmative recommendation of the Board, that the Inter-Parliamentary Union shall be admitted as a new member organization of the Fund, effective 1 January 2005;

II

Pension adjustment system

Recalling section II of its resolution 57/286,

Having considered the reviews carried out by the Consulting Actuary, the Committee of Actuaries and the United Nations Joint Staff Pension Board, as set out in the Board's report,[97] of various aspects of the pension adjustment system,

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[93] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[94] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 9* and addendum (A/59/9 and Add.1).

[95] A/C.5/59/11.

[96] A/59/447.

[97] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 9* (A/59/9).

[98] Ibid., addendum (A/59/9/Add.1)

1. *Takes note* of the recommendation of the United Nations Joint Staff Pension Board of a phased approach in the elimination of the 1.5 per cent reduction in the first consumer price index adjustments due after retirement, with effect from 1 April 2005, and also takes note of the Board's recommendation that the two-track pension adjustment system of the United Nations Joint Staff Pension Fund be amended to provide for an adjustable minimum guarantee at 80 per cent of the United States dollar-track amount, also with effect from 1 April 2005;

2. *Approves*, accordingly, with effect from 1 April 2005, the changes in the pension adjustment system set out in the annex to the present resolution, namely:

(*a*) A phased approach in the elimination of the 1.5 per cent reduction in the first consumer price index adjustments;

(*b*) The addition of a new provision under the two-track pension adjustment system for an adjustable minimum guarantee at 80 per cent of the United States dollar-track amount, with the understanding that, under the two-track pension adjustment system, benefits are subject to a maximum of 110 or 120 per cent of the local currency track, depending on the date of separation from service, and that the Board will continue to review the costs/savings of all the modifications introduced since 1992 with respect to the two-track feature of the pension adjustment system and will report thereon to the General Assembly every two years on the occasion of the actuarial valuations of the Fund;

3. *Requests* the Board to review the benefit of the two-track system vis-à-vis the United States dollar track for both the beneficiaries and the Fund as a whole, taking into account the effect of the adjustable minimum guarantee at 80 per cent of the United States dollar-track amount on the utilization rate of the two-track system, and to report thereon to the General Assembly at its sixty-first session;

4. *Takes note* of the Board's intention to address in 2006, subject to a favourable actuarial valuation as at 31 December 2005, the possible total elimination of the balance of the 1.5 per cent reduction and, on an equal footing, the possible elimination of the limitation on the right to restoration based on length of prior service;

5. *Decides* not to consider any further proposals to enhance or improve pension benefits until action is taken on the issues contained in section I, paragraph 4, and section II, paragraphs 2 and 3, of its resolution 57/286;

6. *Invites* the Board to provide information on the special situation of pensioners living in countries having undergone dollarization and on possible proposals to attenuate the adverse consequences arising therefrom;

III

Financial statements of the United Nations Joint Staff Pension Fund and report of the Board of Auditors

Having considered the financial statements of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 2003, the audit opinion and report of the Board of Auditors thereon, the information provided on the internal audits of the Fund and the observations of the United Nations Joint Staff Pension Board,[97]

1. *Takes note* of the implementation of the recommendations of the Board of Auditors, as described in paragraphs 11 and 12 of its report on the accounts of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 2003,[99] and stresses the need for the Fund to comply fully and in a timely manner with all recommendations of the Board of Auditors;

2. *Takes note with satisfaction* of the approval of the United Nations Joint Staff Pension Board of an internal audit charter, which recognizes and incorporates policy changes for the Office of Internal Oversight Services of the Secretariat;

3. *Notes* that the Standing Committee of the United Nations Joint Staff Pension Board will consider, in 2005, the desirability of and possible terms of reference for an audit committee of the Board;

IV

Administrative arrangements of the United Nations Joint Staff Pension Fund

Recalling section VII of its resolution 51/217, section V of its resolutions 52/222, 53/210 and 54/251, section IV of its resolution 55/224, section V of its resolution 56/255, section IV of its resolution 57/286 and section X of its resolution 58/272 concerning the administrative arrangements and expenses of the United Nations Joint Staff Pension Fund,

1. *Takes note* of the information set out in paragraphs 134 to 136 of the report of the United Nations Joint Staff Pension Board[97] on the revised budget estimates for the biennium 2004–2005;

2. *Also takes note* of the upward trend in the administrative expenses of the United Nations Joint Staff Pension Fund and of the intention of the Advisory Committee on Administrative and Budgetary Questions to further consider the matter in the context of the Fund's budget proposals for the biennium 2006–2007;

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[99] Ibid., *Supplement No. 9* (A/59/9), annex XI.

3. *Approves* additional resources in the amount of 5,340,700 United States dollars for the biennium 2004–2005 for administrative costs of the Fund, noting that the revised estimates for the biennium would amount to a total appropriation of 41,011,800 dollars for administrative costs;

4. *Takes note* of the arrangements for leasing office space to accommodate in New York, outside United Nations Headquarters, the Fund secretariat and the Investment Management Service;

V

Size and composition of the United Nations Joint Staff Pension Board and its Standing Committee

Stressing the importance of fair representation of participating organizations in the United Nations Joint Staff Pension Board and its Standing Committee,

1. *Takes note* of the information set out in paragraphs 200 to 210 of the report of the United Nations Joint Staff Pension Board[97] concerning the review of the size and composition of the Board and its Standing Committee and the decision of the Board that the matter should be further studied by the Working Group established to carry out that review, for consideration by the Standing Committee in 2005 and the Board in 2006;

2. *Urges* the Board to explore the possibility of meeting annually for a shorter duration and to report its conclusions, including all financial and administrative implications associated with that possibility, to the General Assembly at its sixty-first session;

VI

Other matters

1. *Takes note* of the agreement of the United Nations Joint Staff Pension Board:

(*a*) To make no changes to the current methodology used in the determination of final average remuneration but to consider at the meeting of its Standing Committee in 2005 a study containing actuarial cost assessments of a proposed early retirement protection measure, together with both the positive features and the anomalies that might arise as a consequence;

(*b*) To consider at the meeting of its Standing Committee in 2005 a report on a possible provision to allow for the purchase by participants in the United Nations Joint Staff Pension Fund of additional years of contributory service;

(*c*) To consider at the meeting of its Standing Committee in 2005 possible applications for membership in the Fund from the International Organization for Migration and the International Commission for the Conservation of Atlantic Tunas;

(*d*) To consider at its session in 2006 a study on all benefit provisions relating to family benefits;

(*e*) To consider at its session in 2006 a study, to be carried out in consultation with the medical directors of the common system, on disability issues;

2. *Takes note with satisfaction* of the progress report on the Fund's management charter, which introduced specific goals and objectives, a detailed action plan for achieving such goals and the status report on the implementation of each goal;

3. *Takes note* of the arrangements with respect to the comprehensive review of pensionable remuneration that is to be carried out by the International Civil Service Commission in close cooperation with the Board, and also takes note of the timetable and framework for the required close collaboration between the two bodies;

VII

Investments of the United Nations Joint Staff Pension Fund

1. *Takes note* of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund,[95] as well as the observations of the United Nations Joint Staff Pension Board set out in paragraphs 99 to 102 of its report;[97]

2. *Also takes note* of the significant increase in the market value of the Fund's assets and the positive returns achieved during the biennium;

3. *Notes* that a comprehensive review will be carried out of the investment policies and practices of the Investment Management Service with a view to addressing the findings and recommendations contained in the audit reports of the Office of Internal Oversight Services of the Secretariat and the Board of Auditors;

4. *Takes note* of the Board's approval of the terms of reference for the Investments Committee, which will take effect on 1 January 2005;

VIII

Diversification of investments of the United Nations Joint Staff Pension Fund

Recalling its resolutions 36/119 A to C of 10 December 1981,

1. *Takes note* of the increase in investments of the United Nations Joint Staff Pension Fund in developing countries, and requests the Secretary-General to report to the General Assembly at its sixty-first session on the steps and efforts undertaken to increase, to the maximum extent possible, investments in developing countries;

2. *Reaffirms* the policy of diversification of the investments of the Fund across geographical areas, wherever

this serves the interests of the participants and beneficiaries of the Fund, in accordance with the four criteria of safety, profitability, liquidity and convertibility;

IX

Implementation of the recommendations of the Office of Internal Oversight Services on the Investment Management Service of the United Nations Joint Staff Pension Fund

Recalling its resolution 58/279 of 23 December 2003,

Having considered the report of the Secretary-General,[100]

Takes note of the report of the Secretary-General.[100]

Annex

Changes to the pension adjustment system of the United Nations Joint Staff Pension Fund

Section H. Subsequent adjustments of the benefit

Add the following new text at the end of paragraph 20:

"Effective 1 April 2005, the reduction in the initial adjustments due after separation shall be by 1.0 percentage point; with respect to benefits to which the 1.5 percentage point reduction was applied before 1 April 2005, there shall be a 0.5 percentage point increase in the first adjustments due on or after 1 April 2005."

Section I. Payment of the benefit

Add the following new text at the end of paragraph 23:

"The limitations described in (*a*) and (*b*) above shall not result in a benefit being smaller than either the United States dollar base amount determined in accordance with the Regulations of the Fund or 80 per cent of the adjusted United States dollar-track amount."

RESOLUTION 59/270

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/648, para. 7)[101]

59/270. Reports of the Secretary-General on the activities of the Office of Internal Oversight Services

The General Assembly,

Recalling its resolutions 48/218 B of 29 July 1994 and 54/244 of 23 December 1999,

Recalling also its resolutions 56/246 of 24 December 2001 and 58/101 B of 9 December 2003,

Having considered the annual report of the Office of Internal Oversight Services for the period 1 July 2002 to 30 June 2003[102] and the report of the Office of Internal Oversight Services on the review of the structure and operations of United Nations information centres,[103]

1. *Notes with appreciation* the work of the Office of Internal Oversight Services;

2. *Takes note* of the annual report of the Office of Internal Oversight Services;[102]

3. *Requests* the Secretary-General to ensure that the Office of Internal Oversight Services continues to provide internal oversight of the entire claims process of the United Nations Compensation Commission and to report regularly thereon in the context of the annual reports of the Office;

4. *Recalls* regulation 1.2 of the Staff Regulations and Rules of the United Nations, and requests the Secretary-General to provide information to the General Assembly at its sixty-first session in the context of its consideration of matters related to procurement reform on actions taken to prevent recurrence of incidents of possible conflict of interest and inappropriate procurement practices;

5. *Notes* the description of the mission of the Office of Internal Oversight Services, as outlined in its annual report, and in this regard stresses that the mission of the Office should be in full conformity with its mandate, as approved by the General Assembly in its resolution 48/218 B;

6. *Requests* the Secretary-General to ensure that the Office of the United Nations High Commissioner for Refugees develops and utilizes comprehensive policy guidelines for the selection and management of consultants to ensure transparency and objectivity in their engagement, monitoring and evaluation as well as to make greater efforts to ensure a geographical balance in the use of qualified consultants, in accordance with the relevant resolutions of the General Assembly, and to report thereon to the Assembly at its sixty-first session;

7. *Endorses* the relevant recommendations of the Office of Internal Oversight Services regarding improvement of internal controls in management, accounting and reporting of assets of all United Nations field missions to establish reliable records, and requests the Secretary-General to ensure their full implementation and to report thereon to the General Assembly at the second part of its resumed sixtieth session;

8. *Requests* the Secretary-General to codify appropriate procedures for the purchase and utilization of

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[100] A/58/725.

[101] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[102] See A/58/364.

[103] See A/57/747 and Corr.1.

vehicles and other equipment by United Nations field missions to ensure compliance by all missions with the procedures and to report thereon to the General Assembly at the second part of its resumed sixtieth session;

9. *Notes with concern* the contents of paragraph 97 of the annual report of the Office of Internal Oversight Services on the management and control of United Nations laissez-passer, and requests the Secretary-General to ensure the development of appropriate Organization-wide rules, policies and procedures for managing laissez-passer and to report thereon to the General Assembly, as appropriate;

10. *Recalls* paragraph 38 of General Assembly resolution 58/101 B, and takes note of the report of the Office of Internal Oversight Services on the review of the structure and operations of United Nations information centres.[103]

RESOLUTION 59/271

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/648, para. 7)[104]

59/271. Report of the Secretary-General on the activities of the Office of Internal Oversight Services

The General Assembly,

Recalling its resolutions 48/218 B of 29 July 1994 and 54/244 of 23 December 1999,

Having considered the annual report of the Office of Internal Oversight Services for the period 1 July 2003 to 30 June 2004,[105]

1. *Notes with appreciation* the work of the Office of Internal Oversight Services;

2. *Takes note* of the annual report of the Office of Internal Oversight Services;[105]

3. *Notes* the description of the mission of the Office of Internal Oversight Services, as outlined in its annual report, and in this regard stresses that the mission of the Office should be in full conformity with its mandate, as approved by the General Assembly in its resolution 48/218 B;

4. *Notes also* the information provided by the Office of Internal Oversight Services on the economies and savings generated by its recommendations, and requests the Office to explain its guidelines for measuring the impact of such economies and/or savings and to report to the General Assembly thereon in its next annual report;

5. *Requests* the Secretary-General, with regard to paragraph 53 of the annual report of the Office of Internal Oversight Services, to ensure strict conformity with the highest standards of quality when recruiting staff to fill language posts, in accordance with legislative mandates;

6. *Notes with concern* the findings of the Office of Internal Oversight Services on investigations, as reflected in paragraphs 42 to 47 of its annual report, as well as the fact that some of them reflect serious managerial problems and lack of control;

7. *Stresses*, in this regard, the crucial importance of establishing an effective and efficient system of accountability throughout the Secretariat in order to prevent such problems and to make programme managers accountable;

8. *Takes note* of the report of the Office of Internal Oversight Services on its audit of the regional commissions,[106] and requests the Secretary-General to report to the General Assembly at its sixtieth session on the actions taken by the legislative bodies of the regional commissions with regard to the recommendations of the report;

9. *Takes note also* of paragraph 63 of the annual report, relating to the audit of the non-governmental organization accreditation process;

10. *Reiterates*, in the context of paragraphs 8 and 9 above, paragraph 8 of its resolution 54/244, in which it emphasized that the approval, change and discontinuation of legislative mandates are the exclusive prerogatives of intergovernmental legislative bodies;

11. *Concurs* with the observation of the Office of Internal Oversight Services in paragraph 55 of its annual report, and requests the Secretary-General to ensure that the Office continues to provide internal oversight of the entire claims process of the United Nations Compensation Commission and to report regularly thereon in the context of the annual reports of the Office.

RESOLUTION 59/272

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/649, para. 5)[107]

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[104] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[105] See A/59/359.

[106] See A/58/785.

[107] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

59/272. Review of the implementation of General Assembly resolutions 48/218 B and 54/244

The General Assembly,

Recalling its resolutions 48/218 B of 29 July 1994 and 54/244 of 23 December 1999,

1. *Decides* to maintain the reporting procedures for the Office of Internal Oversight Services in full compliance with its resolutions 48/218 B and 54/244, and in this context requests the Secretary-General to ensure that:

(*a*) Annual reports submitted by the Office of Internal Oversight Services to the General Assembly contain the titles and brief summaries of all reports of the Office issued during the year;

(*b*) Semi-annual reports of the Office of Internal Oversight Services contain the titles and brief summaries of all other reports of the Office issued in the reporting period;

(*c*) Original versions of the reports of the Office of Internal Oversight Services not submitted to the General Assembly are, upon request, made available to any Member State;

2. *Also decides* that when access to a report would be inappropriate for reasons of confidentiality or the risk of violating the due process rights of individuals involved in Office of Internal Oversight Services investigations, the report may be modified, or withheld in extraordinary circumstances, at the discretion of the Under-Secretary-General for Internal Oversight Services, who will provide reasons for this to the requesting party;

3. *Further decides* that reports of the Office of Internal Oversight Services shall be submitted directly to the General Assembly as submitted by the Office and that the comments of the Secretary-General may be submitted in a separate report;

4. *Affirms* its primary role in the consideration of and action taken on the reports submitted to it;

5. *Notes* that no mechanism has been established for the follow-up to Office of Internal Oversight Services recommendations, including those considered by the General Assembly;

6. *Emphasizes* the importance of establishing real, effective and efficient mechanisms for responsibility and accountability;

7. *Regrets* that despite previous information provided by the Secretary-General on the establishment of accountability mechanisms, including the accountability panel, such mechanisms are not in place, thereby affecting the efficient and effective functioning of the Organization;

8. *Takes note* of paragraph 129 (*b*) of the annual report of the Office of Internal Oversight Services,[108] and concurs with the view that a high-level follow-up mechanism under the authority of the Secretary-General should be established in the Organization to effectively feed findings and recommendations of the Office, as well as relevant findings of the Joint Inspection Unit and the Board of Auditors, into the executive management processes;

9. *Requests* the Secretary-General to submit annually to the General Assembly a report under the agenda item entitled "Review of the efficiency of the administrative and financial functioning of the United Nations" addressing the measures implemented with the aim of strengthening accountability in the Secretariat and the results achieved;

10. *Also requests* the Secretary-General to establish the aforementioned follow-up mechanism as soon as possible and to report to the General Assembly on the results achieved in the context of the report referred to in paragraph 9 above, with specific reference to:

(*a*) The composition of such a mechanism, including the seniority of the Chair and members;

(*b*) Terms of reference of the mechanism and frequency of its meetings;

(*c*) The inclusion in the mechanism of one or more participants with relevant expertise from United Nations-system oversight bodies;

(*d*) Reporting procedures;

11. *Reaffirms* the role of the Board of Auditors and the Joint Inspection Unit as external oversight bodies, and, in this regard, affirms that any external review, audit, inspection, monitoring, evaluation or investigation of the Office can be undertaken only by such bodies or those mandated to do so by the General Assembly;

12. *Also reaffirms* the importance of effective coordination, in the implementation of their respective mandates, between the Joint Inspection Unit, the Board of Auditors and the Office of Internal Oversight Services, in order to maximize the use of resources and share experiences, knowledge, best practices and lessons learned;

13. *Stresses* the vital importance of the evaluation function of the Office of Internal Oversight Services, and requests the Secretary-General to better reflect the objectives, expected accomplishments and performance indicators related to this function in future biennial programmes and budgetary submissions of the Office;

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[108] See A/59/359.

14. *Reaffirms* its oversight role as well as the role of the Fifth Committee in administrative and budgetary matters;

15. *Notes* paragraph 129 (*a*) of the annual report of the Office of Internal Oversight Services, and in this context requests the Secretary-General to report to the General Assembly at its sixtieth session, taking into account the views of external oversight bodies, on how to guarantee the full operational independence of the Office within the context of its resolution 48/218 B;

16. *Decides* to evaluate and review at its sixty-fourth session the functions and reporting procedures of the Office of Internal Oversight Services and any other matter which it deems appropriate, and to that end to include in the provisional agenda of that session an item entitled "Review of the implementation of General Assembly resolutions 48/218 B, 54/244 and 59/272".

RESOLUTION 59/273

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/603, para. 6)[109]

59/273. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Having considered the reports of the Secretary-General, namely the first performance report for the biennium 2004–2005 on the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[110] and the report on biennial budgeting at the Tribunals,[111]

Having also considered the report of the Board of Auditors and the recommendations contained therein,[112]

Having further considered the related report of the Advisory Committee on Administrative and Budgetary Questions,[113]

Recalling its resolution 49/251 of 20 July 1995 on the financing of the Tribunal and its subsequent resolutions thereon, the latest of which were resolutions 58/252 and 58/253 of 23 December 2003,

1. *Takes note* of the first performance report of the Secretary-General for the biennium 2004–2005 on the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[110] and his report on biennial budgeting at the Tribunals;[111]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[113]

3. *Notes with concern* the precarious financial situation of the Tribunal;

4. *Also notes with concern* the levels of unpaid assessed contributions, and urges Member States to pay their assessed contributions on time, in full and without conditions;

5. *Further notes with concern* the resulting freeze imposed by the Secretariat on the Tribunal and the negative impact it is having on the completion strategy schedule, and requests the Secretary-General, in consultation with the Tribunal, to submit proposals on ways to ameliorate the staffing situation at the Tribunal in the context of the proposed budget for the biennium 2006–2007;

6. *Requests* the Secretary-General to ensure that areas critical to the successful completion of the mandate of the Tribunal, in accordance with the completion strategy, are exempt from any freezes;

7. *Also requests* the Secretary-General to make every effort to reduce the vacancy rate and improve staff retention at the Tribunal, including by extending contracts of staff performing functions that are central to the implementation of the completion strategy beyond the period of the current budget;

8. *Further requests* the Secretary-General to submit the reports requested in paragraphs 17 and 23 of resolution 58/253 in the context of the proposed budget of the Tribunal for the biennium 2006–2007;

9. *Welcomes* the efforts of the Tribunal, in accordance with its statute, to assist the Government of Rwanda in

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[109] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[110] A/59/549.

[111] A/59/139.

[112] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 5K* (A/59/5/Add.11).

[113] See A/59/561.

strengthening its judiciary, and requests the Tribunal to increase its capacity-building efforts for the judiciary of Rwanda, including through recruitment of Rwandan legal professionals and training and attachment programmes, in view of the intention to transfer cases for prosecution to Rwanda as from 2005;

10. *Recognizes* the importance of carrying out an effective outreach programme within the overall mandate of the Tribunal and its completion strategy, and requests the Tribunal, in accordance with its mandate, to develop and implement outreach programmes that are proactive, utilizing available resources optimally, and that contribute to the reconciliation process by effectively developing an increased understanding of its work among Rwandans;

11. *Requests* the Secretary-General to report on the outreach programme of the Tribunal and on future measures to ensure the smooth transfer of cases to national jurisdiction in the context of the proposed budget of the Tribunal for the biennium 2006–2007;

12. *Decides* to approve the proposed post and non-post resources for the Investigations Division for 2005;

13. *Decides also* on a revised appropriation to the Special Account for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 of a total amount of 255,909,500 United States dollars gross (231,506,500 dollars net) for the biennium 2004–2005;

14. *Decides further*, for the year 2005, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year, the amount of 69,123,700 dollars gross (62,434,375 dollars net), including 10,292,650 dollars gross (9,115,500 dollars net), being the increase in assessments;

15. *Decides*, for the year 2005, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations for the year, the amount of 69,123,700 dollars gross (62,434,375 dollars net), including 10,292,650 dollars gross (9,115,500 dollars net), being the increase in assessments;

16. *Decides also* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 14 and 15 above, their respective share in the Tax Equalization Fund in the amount of 13,378,650 dollars, including 2,354,300 dollars, being the increase in the estimated staff assessment income approved for the Tribunal for the biennium 2004–2005.

Annex

Financing for the biennium 2004–2005 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

	Gross	*Net*
	(United States dollars)	
1. Initial appropriation for the biennium 2004–2005 (resolution 58/253)	235 324 200	213 275 500
Add:		
2. Proposed changes for the biennium 2004–2005 (A/59/549)	25 647 300	23 293 000
Less:		
3. One-time adjustment reflecting projected savings for 2004 (A/59/549)	(5 062 000)	(5 062 000)
4. Proposed revised appropriation for the biennium 2004–2005	255 909 500	231 506 500
5. Assessment for 2004	(117 662 100)	(106 637 750)
6. Balance to be assessed for 2005	138 247 400	124 868 750
Of which:		
7. Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2005	69 123 700	62 434 375
8. Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2005	69 123 700	62 434 375

RESOLUTION 59/274

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/604, para. 6)[114]

59/274. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the reports of the Secretary-General, namely the first performance report for the biennium 2004–2005 on the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[115] and the report on biennial budgeting at the Tribunals,[116]

Having also considered the report of the Board of Auditors and the recommendations contained therein,[117]

Having further considered the related report of the Advisory Committee on Administrative and Budgetary Questions,[118]

Recalling its resolution 47/235 of 14 September 1993 on the financing of the Tribunal and its subsequent resolutions thereon, the most recent of which were resolutions 58/254 and 58/255 of 23 December 2003,

1. *Takes note* of the first performance report of the Secretary-General for the biennium 2004–2005 on the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[115] and his report on biennial budgeting at the Tribunals;[116]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[118]

3. *Notes with concern* the precarious financial situation of the Tribunal;

4. *Also notes with concern* the levels of unpaid assessed contributions, and urges Member States to pay their assessed contributions on time, in full and without conditions;

5. *Further notes with concern* the resulting freeze imposed by the Secretariat on the Tribunal and the negative impact it is having on the completion strategy schedule, and requests the Secretary-General, in consultation with the Tribunal, to submit proposals on ways to ameliorate the staffing situation at the Tribunal in the context of the proposed budget for the biennium 2006–2007;

6. *Requests* the Secretary-General to ensure that areas critical to the successful completion of the mandate of the Tribunal, in accordance with the completion strategy, are exempt from any freezes;

7. *Also requests* the Secretary-General to make every effort to reduce the vacancy rate and improve staff retention at the Tribunal, including through extending contracts of staff performing functions that are central to the implementation of the completion strategy beyond the period of the current budget;

8. *Decides* to approve the proposed post and non-post resources for the Investigations Division for 2005;

9. *Also decides* on a revised appropriation to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 of a total amount of 329,317,900 United States dollars gross (298,437,000 dollars net) for the biennium 2004–2005;

10. *Further decides*, for the year 2005, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year, the amount of 90,148,375 dollars gross (81,300,850 dollars net), including 15,637,800 dollars gross (13,383,200 dollars net), being the increase in assessments;

11. *Decides*, for the year 2005, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations for the year, the amount of 90,148,375 dollars gross (81,300,850 dollars net), including 15,637,800 dollars gross (13,383,200 dollars net), being the increase in assessments;

12. *Also decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 10 and 11 above, their respective share in the Tax Equalization Fund in the amount of 17,695,050 dollars, including 4,509,200 dollars, being the increase in the estimated staff assessment income approved for the Tribunal for the biennium 2004–2005.

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[114] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[115] A/59/547.

[116] A/59/139.

[117] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 5L* (A/59/5/Add.12).

[118] See A/59/561.

Annex

Financing for the biennium 2004–2005 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	Gross	*Net*
	(United States dollars)	
1. Initial appropriation for the biennium 2004–2005 (resolution 58/255)	298 226 300	271 854 600
Add:		
2. Proposed changes for the biennium 2004–2005 (A/59/547)	38 023 300	33 514 100
Less:		
3. One-time adjustment reflecting projected savings for 2004 (A/59/547)	(6 747 700)	(6 747 700)
4. Estimated income for the biennium 2004–2005	(184 000)	(184 000)
5. Proposed revised appropriation for the biennium 2004–2005	329 317 900	298 437 000
6. Assessment for 2004	(149 021 150)	(135 835 300)
7. Balance to be assessed for 2005	180 296 750	162 601 700
Including:		
8. Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2005	90 148 375	81 300 850
9. Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2005	90 148 375	81 300 850

RESOLUTION 59/275

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/651, para. 9)[119]

59/275. Programme planning

The General Assembly,

Recalling its resolutions 37/234 of 21 December 1982, 38/227 A of 20 December 1983, 41/213 of 19 December 1986, 55/234 of 23 December 2000, 56/253 of 24 December 2001, 57/282 of 20 December 2002 and 58/268 and 58/269 of 23 December 2003,

Having considered the report of the Committee for Programme and Coordination on the work of its forty-fourth session,[120] the proposed strategic framework for the period 2006–2007: part one: plan outline[121] and part two: biennial programme plan[122] and the reports of the Secretary-General on the programme performance of the United Nations for the biennium 2002–2003[123] and on priority-setting,[124] as well as the report of the Office of Internal Oversight Services on strengthening the role of evaluation findings in programme design, delivery and policy directives,[125]

Appreciating the letters from the President of the General Assembly transmitting the recommendations of the First Committee concerning programme 3, Disarmament,[126] the Second Committee concerning programme 10, Trade and development[127] and the Special Political and Decolonization Committee (Fourth Committee) concerning programme 23, Public information,[128] and concerning programme 19, Human rights,[129]

Emphasizes the role of the plenary and the Main Committees in reviewing and taking action on the appropriate recommendations of the Committee for Programme and Coordination relevant to their work, in accordance with regulation 4.10 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation;[130]

Strategic framework for the period 2006–2007

Recalling paragraph 5 of its resolution 58/269, in which it requested the Secretary-General to prepare, on a trial basis, a strategic framework, which would comprise in one document a plan outline, reflecting the longer-term objectives of the Organization, and a biennial programme plan, to cover two years,

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[119] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[120] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 16* (A/59/16).

[121] A/59/6 (Part One) and Corr.1.

[122] A/59/6 (Prog. 1–9, 10/Rev.1, 11–22, 22/Corr.1 and 23–26). For the final text, see *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 6*.

[123] A/59/69.

[124] A/59/87.

[125] See A/59/79.

[126] A/C.5/59/17.

[127] A/C.5/59/15.

[128] A/C.5/59/14.

[129] A/C.5/59/26.

[130] ST/SGB/2000/8.

1. *Notes* that the proposed strategic framework for the period 2006–2007 constitutes the first proposal submitted since the adoption of its resolution 58/269;

2. *Also notes* that the Committee for Programme and Coordination at its forty-fourth session recommended that the General Assembly review part one, plan outline, of the proposed strategic framework for the period 2006–2007;[131]

3. *Recalls* its decision in resolution 58/269 to review, with a view to taking a final decision at its sixty-second session, the format, content and duration of the strategic framework, including the necessity of maintaining part one;

4. *Decides*, in view of the differences between Member States on the content of part one: plan outline of the proposed strategic framework for the period 2006–2007, to take no decision on part one;

5. *Requests* the Secretary-General to prepare and propose a plan outline, reflecting the longer-term objectives of the Organization, and a biennial programme plan in the context of the strategic framework for the biennium 2008–2009, based, inter alia, on the following principal criteria:

(*a*) The longer-term objectives consistent with all the relevant legislative mandates in all areas of the activities of the United Nations;

(*b*) Outcomes of the intergovernmental conferences and summits;

(*c*) Inputs from relevant programme managers;

(*d*) Use of intergovernmentally agreed terms and expressions;

6. *Invites* the Committee for Programme and Coordination to consider at its forty-fifth session additional guidelines, if any, for the preparation of the plan outline;

7. *Decides* that the priorities for the period 2006–2007 shall be the following:

(*a*) Maintenance of international peace and security;

(*b*) Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences;

(*c*) Development of Africa;

(*d*) Promotion of human rights;

(*e*) Effective coordination of humanitarian assistance efforts;

(*f*) Promotion of justice and international law;

(*g*) Disarmament;

(*h*) Drug control, crime prevention and combating international terrorism in all its forms and manifestations;

8. *Requests* the Secretary-General to prepare the proposed programme budget for the biennium 2006–2007 based on the above priorities and the biennial programme plan as adopted in the present resolution;

9. *Also requests* the Secretary-General to issue in one document, before the forty-fifth session of the Committee for Programme and Coordination, only the priorities and the biennial programme plan, as adopted in the present resolution;

10. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on the proposed biennial programme plan for the period 2006–2007 contained in the report of the Committee on the work of its forty-fourth session,[120] those of the First Committee regarding programme 3, Disarmament,[126] those of the Second Committee regarding programme 10, Trade and development,[127] those regarding programme 19, Human rights[129] and those of the Special Political and Decolonization Committee (Fourth Committee) regarding programme 23, Public information,[128] subject to the provisions of the present resolution and the additional modifications contained in the annex hereto;

11. *Requests* the Secretary-General to propose a relevant indicator of achievement for programme 1, General Assembly and Economic and Social Council affairs and conference management, section A, Conference management, New York, subprogramme 4, Meetings and publishing services, in the context of the proposed programme budget for the biennium 2006–2007;

12. *Notes* that the overall system of the administration of justice in the Secretariat will be considered by the General Assembly at its fifty-ninth session;

13. *Requests* the Secretary-General to make recommendations to the General Assembly by the end of its fifty-ninth session on how to ensure the ongoing discharge of key functions of the Office for the Coordination of Humanitarian Affairs of the Secretariat at Headquarters as defined by the Committee for Programme and Coordination;

Programme performance report

14. *Takes note* of the report of the Secretary-General on the programme performance of the United Nations for the biennium 2002–2003;[123]

15. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination regarding the report of the Secretary-General;

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[131] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 16* (A/59/16), para. 65.

16. *Stresses* that, while future reports on programme performance will be more aligned with the objectives, expected accomplishments and indicators of achievement, information on the outputs shall continue to be provided in the reports;

17. *Requests* the Secretary-General to ensure that future programme performance reports provide more detailed information on the reasons for less-than-full implementation of programmed outputs, or the postponement and termination thereof;

Evaluation

18. *Recalls* paragraph 19 of its resolution 58/269, in which it emphasized the need to strengthen the monitoring and evaluation system;

19. *Re-emphasizes* the importance of the contribution of the relevant intergovernmental bodies, in particular the Main Committees of the General Assembly, in reviewing the relevant recommendations on evaluation;

20. *Reiterates* section III of its resolution 57/282 on evaluation;

21. *Requests* the General Committee to take fully into account the above-mentioned resolutions in the allocation of agenda items to the Main Committees;

22. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on strengthening the role of evaluation findings in programme design, delivery and policy directives, on in-depth evaluation of the programme on public administration, finance and development, on the triennial review of the implementation of the recommendations made by the Committee on the in-depth evaluation of sustainable development and on the triennial review of the implementation of the recommendations made by the Committee on the in-depth evaluation of the population programme, and on the further development of topics for a pilot thematic evaluation;

Improving the working methods and procedures of the Committee for Programme and Coordination within the framework of its mandate

23. *Requests* the Secretary-General to schedule the organizational session of the forty-fifth session of the Committee for Programme and Coordination as soon as possible at the resumed session of the Fifth Committee at the fifty-ninth session;

24. *Recalls* paragraph 18 of its resolution 58/269, in which it invited the Committee for Programme and Coordination to submit, at its forty-fourth session, recommendations on improving its working methods;

25. *Welcomes* the decision of the Committee for Programme and Coordination to revert to the agenda item entitled "Improving the working methods and procedures of the Committee for Programme and Coordination within the framework of its mandate", as a matter of priority, at the beginning of its forty-fifth session;

Other conclusions and recommendations of the Committee for Programme and Coordination

26. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination regarding the annual overview report of the United Nations System Chief Executives Board for Coordination for 2003,[132] and its conclusions and recommendations regarding the report of the Secretary-General on United Nations system support for the New Partnership for Africa's Development;[133]

27. *Also endorses* the recommendation of the Committee for Programme and Coordination on the report of the Secretary-General on priority-setting;[124]

Other matters

28. *Invites* the Committee for Programme and Coordination to take appropriate measures to ensure that the discussion sections of the report of the Committee are drafted so as to reflect fully the opinions expressed by delegations.

Annex

Additional modifications to the proposed biennial programme plan for the period 2006–2007

Programme 1

General Assembly and Economic and Social Council affairs and conference management

Overall orientation

In the second sentence of paragraph 1.3, after "the control and limitation of documents," add "in accordance with legislative mandates,".

A. Conference management, New York

Subprogramme 4
Meetings and publishing services

Delete indicator of achievement (*b*) (ii) and delete "(i)" in indicator of achievement (*b*) (i).

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[132] E/2004/67.

[133] E/AC.51/2004/6.

A, B, C and D. Conference management, New York, Geneva, Vienna and Nairobi

Subprogramme 2
Planning, development and coordination of conference services

Under *Strategy*, replace the text of paragraphs 1.5 (*e*), 1.7 (*c*), 1.10 (*e*) and 1.13 (*c*) of sections A, B, C and D, respectively, with the following: "Upgrading, pursuant to the managerial responsibilities of the Secretary-General, the technological capacity in conference services in line with new developments in technology, in accordance with legislative mandates, while keeping the General Assembly aware of new technologies that can be issued in the Organization to achieve timeliness and better quality of services provided".

At the end of expected accomplishment (*b*), add "where feasible and more cost-effective, without adversely affecting the quality of services provided".

Subprogramme 4
Meetings and publishing services

Under *Strategy*, in paragraphs 1.7 (*b*), 1.9 (*b*), 1.12 (*b*) and 1.15 (*b*) of sections A, B, C and D, respectively, after "documentation publishing", add "to achieve better quality, and timeliness".

Programme 21
Palestine refugees

Overall orientation

After the first sentence of paragraph 21.2, add the following sentence: "In its resolution 3331 B (XXIX) of 17 December 1974, the General Assembly decided that, with effect from 1 January 1975, the expenses relating to the emoluments of international staff in the service of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which would otherwise have been charged to voluntary contributions, should be financed by the regular budget of the United Nations for the duration of the Agency's mandate."

Programme 25
Internal oversight

Overall orientation

Replace the first sentence of paragraph 25.1 with the following: "The overall purpose of the programme is to enhance effectiveness in the implementation of all programmes through continually improved internal control mechanisms within the Organization. The mandate for the programme derives from the responsibility of the Secretary-General as the chief administrative officer of the United Nations, entrusted to him under Article 97 of the Charter of the United Nations."

Paragraph 25.3 should read as follows: "The Office assists Member States and the Organization in protecting its assets, and ensuring the compliance of programme activities with resolutions, regulations, rules and policies, and the more efficient and effective delivery of the Organization's activities; preventing and detecting fraud, waste, abuse, malfeasance or mismanagement; and improving the delivery of the Organization's programmes and activities to enable it to achieve better results by determining all factors affecting the efficient and effective implementation of programmes."

In the second sentence of paragraph 25.4, replace "ensure" with "assist".

The second sentence of paragraph 25.5 should read as follows: "In addition, the Office assists the Organization in achieving better results by determining the factors affecting the efficient and effective implementation of programmes in accordance with, inter alia, the internationally agreed development goals, including those contained in the United Nations Millennium Declaration and in the outcomes of the major United Nations conferences and international agreements since 1992."

Subprogramme 1
Internal audit

The objective of the Organization should read as follows: "To ensure efficient and effective implementation and management of programmes, activities and operations by programme managers, in accordance with the relevant legislative mandates, regulations and rules."

Expected accomplishment (*c*) should read as follows: "Improved levels of efficiency and effectiveness in the implementation of programmes, and enhanced accountability by programme managers."

Subprogramme 2
Monitoring, evaluation and consulting

The objective of the Organization should read as follows: "To strengthen programme implementation by monitoring the delivery of the programmes using results-based management methods as well as their outputs and to determine whether they are adequate, timely and in accordance with the mandates, whether they address effectively the objectives of the programmes and whether the resources are used efficiently."

Subprogramme 3
Investigations

The objective of the Organization should read as follows: "To ensure compliance with regulations and rules of the United Nations and to minimize the occurrence of fraud, violations of regulations and rules of the United Nations, mismanagement, misconduct, waste of resources and abuse of authority."

Expected accomplishment (*a*) should read as follows: "Better protection of the Organization's assets and resources and greater compliance with the Organization's rules and regulations."

RESOLUTION 59/276

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/448/Add.2, para. 41)[134]

59/276. Questions relating to the programme budget for the biennium 2004–2005

The General Assembly,

I

Administrative arrangements for the International Trade Centre UNCTAD/WTO

Recalling its decision 57/572 of 20 December 2002 and its resolutions 57/312 of 18 June 2003, 48/218 B of 29 July 1994 and 54/244 of 23 December 1999,

1. *Takes note* of the report of the Secretary-General on administrative arrangements for the International Trade Centre UNCTAD/WTO[135] and of the related report of the Advisory Committee on Administrative and Budgetary Questions,[136] and endorses the recommendations contained therein;

2. *Also takes note* of the report of the Office of Internal Oversight Services on the inspection of programme management and administrative practices of the International Trade Centre UNCTAD/WTO,[137] and requests the Secretary-General to ensure that the recommendations contained therein are implemented expeditiously;

II

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session and resumed substantive sessions of 2004

Takes note of the report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive and resumed substantive sessions of 2004[138] and the related reports of the Advisory Committee on Administrative and Budgetary Questions,[139] on the understanding that such appropriations as may be necessary and not exceeding 573,600 United States dollars will be requested by the Secretary-General in the context of a consolidated statement of programme budget implications and revised estimates to be submitted to the General Assembly;

III

Progressive implementation of article 20 of the statute of the Office of the United Nations High Commissioner for Refugees

Recalling paragraph 49 of its resolution 58/270 of 23 December 2003,

1. *Takes note* of the report of the Secretary-General on the progressive implementation of article 20 of the statute of the Office of the United Nations High Commissioner for Refugees[140] and the related report of the Advisory Committee on Administrative and Budgetary Questions presented orally by its Chairman;[141]

2. *Requests* the Secretary-General to include in the programme budget proposals for progressive increases for contributions from the regular budget to the Office of the High Commissioner with a view to the full implementation of article 20 of the statute of the Office and to report on the progress made to the General Assembly at its sixtieth session in the context of the proposed programme budget for the biennium 2006–2007, while recognizing that the percentage referred to in paragraph 6 of the report of the Secretary-General does not represent a ceiling;

3. *Calls upon* the Office of the High Commissioner to keep its support costs, including management and administration, under review with the objective of reducing these as a percentage of total budget expenditure, and welcomes the decision of the Office to initiate a headquarters process review with the aim of simplifying and streamlining administration;

4. *Requests* the Secretary-General to include in the proposed programme budget for the biennium 2006–2007 a transparent presentation of the purposes for which regular budget funds are proposed, including the composition of administrative costs and information on efficiency measures;

5. *Also requests* the Secretary-General to ensure that oversight and accountability mechanisms in the Office of the High Commissioner are operating effectively with the required independence, authority and transparency;

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[134] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[135] A/59/405.

[136] A/59/543.

[137] See A/59/229.

[138] A/59/393 and Add.1.

[139] A/59/542 and A/59/597.

[140] A/59/294.

[141] See *Official Records of the General Assembly, Fifty-ninth Session, Fifth Committee*, 26th meeting (A/C.5/59/SR.26), and corrigendum.

IV

Unforeseen and extraordinary expenses

Having considered the report of the Secretary-General on the comprehensive review of the resolution on unforeseen and extraordinary expenses relating to expenses certified by the President of the International Court of Justice[142] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[143]

1. *Approves* the request to change the ceiling to 200,000 dollars under the resolution on unforeseen and extraordinary expenses for expenses that may be certified by the President of the Court without prior concurrence of the Advisory Committee on Administrative and Budgetary Questions in connection with the designation of ad hoc judges with effect from the biennium 2006–2007;

2. *Also approves* the proposal to maintain an amount of 400,000 dollars in the regular budget of the Court to accommodate the recurring requirements for ad hoc judges, with effect from the biennium 2006–2007, to be included in the proposed programme budget for the biennium 2006–2007;

V

Request for a subvention to the United Nations Institute for Disarmament Research resulting from the recommendations of the Board of Trustees of the Institute on the programme of work of the Institute for 2005

Recalling its resolution 58/272 of 23 December 2003,

1. *Takes note* of the note by the Secretary-General on the request for a subvention to the United Nations Institute for Disarmament Research resulting from the recommendations of the Board of Trustees of the Institute on the programme of work of the Institute for 2005[144] and of the related report of the Advisory Committee on Administrative and Budgetary Questions;[145]

2. *Approves* the request for a subvention to the Institute of 227,600 dollars, to be recosted, for 2005 from the regular budget of the United Nations, on the understanding that no additional appropriation would be required under section 4, Disarmament, of the programme budget for the biennium 2004–2005;

3. *Requests* the Secretary-General to make proposals in the context of the proposed programme budget for the biennium 2006–2007 for biennial review and approval by the General Assembly of subvention requirements of the Institute beginning with the biennium 2006–2007;

VI

Construction of additional conference facilities at the Vienna International Centre

Having considered the note by the Secretary-General on the construction of additional conference facilities at the Vienna International Centre[146] and the related report of the Advisory Committee on Administrative and Budgetary Questions presented orally by its Chairman,[147]

1. *Takes note with appreciation* of the proposal of the Government of Austria to construct a new conference facility within the boundaries of the Vienna International Centre;

2. *Approves* the participation of the United Nations, along with the other organizations located in the Vienna International Centre, in the arrangements for the proposed new conference facility on the terms proposed by the Secretary-General in his note;

3. *Entrusts* the Secretary-General to determine, in cooperation with the other three organizations located at the Vienna International Centre, the cost-sharing arrangements for potential future costs arising from the project within the amount indicated in his note, on the understanding that the related financial requirements will be dealt with in the context of the proposed programme budget for the respective bienniums, and to report thereon to the General Assembly for its review and decision;

4. *Requests* the Secretary-General to report on the progress in the project implementation to the General Assembly at its sixty-first session;

VII

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council

Having considered the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council and on the request for a subvention to the Special Court for Sierra Leone,[148] as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,[149]

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[142] A/59/90.

[143] A/59/551.

[144] A/C.5/59/3 and Corr.1 and Add.1.

[145] A/59/553 and Corr.1.

[146] A/C.5/59/23.

[147] See *Official Records of the General Assembly, Fifty-ninth Session, Fifth Committee*, 31st meeting (A/C.5/59/SR.31), and corrigendum.

[148] A/59/534 and Add.1 and 2.

Reaffirming section VI of its resolution 45/248 B of 21 December 1990,

1. *Takes note* of the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council;[148]

2. *Endorses* the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report,[149] subject to the provisions of the present resolution;

3. *Notes* that the charging of expenditures against the appropriation for special political missions would be subject to the extension of the respective mandates;

4. *Reaffirms*, in the context of all Security Council decisions on special political missions, the prerogatives of the General Assembly in issues related to administrative and budgetary matters;

5. *Reiterates* that, in accordance with the Financial Regulations and Rules of the United Nations,[150] the submission of the budget proposals is a prerogative of the Secretary-General;

6. *Invites* the Secretary-General to provide all intergovernmental bodies with the required information regarding procedures for administrative and budgetary matters;

7. *Regrets* the late issuance of the reports of the Secretary-General on estimates in respect of special political missions, and requests the Secretary-General, in the future, to present budget proposals for special political missions at an earlier date, in order to facilitate proper consideration by the General Assembly;

8. *Approves* the budgets of the 25 special political missions presented in table 1 of the report of the Secretary-General;[151]

9. *Decides* to appropriate under the procedures provided for in paragraph 11 of annex I to its resolution 41/213 of 19 December 1986, under section 3, Political affairs, of the programme budget for the biennium 2004–2005 an amount of 678,600 dollars for the three special political missions presented in table 1, part A, of the report of the Secretary-General, emanating from the decisions taken or to be taken by the General Assembly;

10. *Also decides* to appropriate under the procedures provided for in paragraph 11 of annex I to resolution 41/213, under section 3 of the programme budget an amount of 161,936,100 dollars for the 22 special political missions presented in table 1, part B, of the report of the Secretary-General, emanating from the decisions taken or to be taken by the Security Council;

11. *Further decides* to appropriate an amount of 12,132,500 dollars under section 34, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2004–2005;

12. *Requests* the Secretary-General, in preparing the next budget proposals for the Counter-Terrorism Committee Executive Directorate, to review and consider possible streamlining of the structure and level of positions, bearing in mind its temporary nature and its status as a subsidiary body of the Security Council, as well as to address its relationship with the Department of Political Affairs of the Secretariat;

13. *Decides* to approve the proposed waiver requested for the implementation of section III.B, paragraph 26, of resolution 51/226 of 3 April 1997, on an exceptional and extraordinary basis, and requests the Secretary-General to report in the next budget submission on how many consultants given such waiver were recruited, along with their nationalities and functions performed;

14. *Requests* the Secretary-General to recruit staff for the Counter-Terrorism Committee Executive Directorate in full compliance with relevant resolutions of the General Assembly;

15. *Decides* that the use of experts and consultants for the Counter-Terrorism Committee Executive Directorate and for the Security Council Committee established pursuant to Council resolution 1540 (2004) of 28 April 2004 should also be in full compliance with the relevant resolutions of the General Assembly;

16. *Takes note* that the commitment authority authorized in resolution 58/284 of 8 April 2004 and valid through 31 December 2004 to support a subvention for the Special Court for Sierra Leone has been held unused in view of the continued dependence of the Court on voluntary contributions during the period and is being surrendered;

17. *Authorizes* the Secretary-General to enter into commitments in an amount not to exceed 20 million dollars to supplement the financial resources of the Special Court for Sierra Leone, with effect from 1 January to 30 June 2005, under special political missions of section 3, Political affairs, of the programme budget for the biennium 2004–2005;

18. *Requests* the Secretary-General, in concert with the Management Committee of the Special Court for Sierra Leone, to continue efforts to raise voluntary contributions to support the

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[149] A/59/569 and Add.1 and Add.1/Corr.1 and Add.2.

[150] ST/SGB/2003/7.

[151] A/59/534/Add.1.

work of the Court and to report to the General Assembly at its resumed fifty-ninth session on progress made;

19. *Appeals* to Member States, as a matter of urgency, to contribute voluntary funds in support of the Court and to honour existing pledges;

20. *Requests* the Secretary-General to submit to the General Assembly at its resumed fifty-ninth session a progress report in respect of the Special Court for Sierra Leone;

21. *Requests* the President of the General Assembly to bring to the attention of the President of the Security Council the contents of the present resolution;

VIII

First performance report on the programme budget for the biennium 2004–2005

Having considered the first performance report of the Secretary-General on the programme budget for the biennium 2004–2005[152] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[153]

Recalling its resolutions 58/270 and 58/271 A to C of 23 December 2003 and 58/295 of 18 June 2004,

1. *Reaffirms* the budgetary process as approved in its resolution 41/213 and as reaffirmed in subsequent resolutions;

2. *Takes note* of the first performance report of the Secretary-General on the programme budget for the biennium 2004–2005 and the addendum on the implementation of the United Nations Official Document System,[152] and endorses the observations and recommendations contained in the related report of the Advisory Committee on Administrative and Budgetary Questions,[153] subject to the provisions of the present resolution;

3. *Reaffirms* the importance that Member States attach to the work of the Office of the President of the General Assembly in support of the activities carried out by the President of the General Assembly;

4. *Recalls* paragraph 10 of the annex to its resolution 58/126 of 19 December 2003, notes the assurances given by the Secretariat that the three remaining positions, namely, one D-2, one D-1 and one General Service, needed to strengthen the Office of the President of the General Assembly will be provided, and in this context requests the Secretary-General to ensure its full and expeditious implementation;

5. *Requests* the Secretary-General to report to the General Assembly on the implementation of paragraph 4 above in the context of the second performance report;

6. *Decides* to approve a gross budget for the Joint Inspection Unit for the year 2005 in the amount of 5,385,700 dollars and to appropriate the amount of 1,712,700 dollars under section 31, Jointly financed administrative activities, for the financing of the Joint Inspection Unit in 2005;

7. *Notes* the contents of paragraph 42 of the report of the Secretary-General[154] and requests the Secretary-General to report to the General Assembly comprehensively on this issue at the beginning of its sixtieth session;

8. *Recalls* paragraph 9 of its resolution 58/270, and notes that its implementation resulted in a decrease of 4,007,000 dollars from the original proposed appropriation in section 23, Regular programme of technical cooperation;

9. *Requests* the Secretary-General to fill expeditiously vacant positions for web-site assistants in all official languages from external candidates, utilizing general temporary assistance;

10. *Recalls* paragraph 44 of its resolution 58/270 and takes note of the relevant paragraph of the Secretary-General's report regarding the *Repertory of Practice of the United Nations Organs*,[154] and requests the Secretary-General to keep the matter under review and to report thereon to the General Assembly in the context of the proposed programme budget for the biennium 2006–2007;

11. *Approves* a net increase of 172,851,200 dollars in the appropriation approved for the biennium 2004–2005 and a net increase of 9,406,800 dollars in the estimates of income for the biennium, to be apportioned among expenditure and income sections as indicated in the report of the Secretary-General[154] and amended to reflect the recommendation of the Advisory Committee;[153]

IX

Strengthening the Department of Public Information, within the existing capacity, in order to support and enhance the United Nations web site in all official languages of the Organization: status of implementation

Having considered the report of the Secretary-General entitled "Strengthening the Department of Public Information, within the existing capacity, in order to support and enhance the United Nations web site in all official languages of the Organization: status of implementation"[155] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[156]

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[152] A/59/578 and Add.1.

[153] A/59/601.

[154] A/59/578.

[155] A/59/336.

[156] See A/59/558.

Recalling paragraph 42 of its resolution 58/270 and paragraph 95 of its resolution 59/126 B of 10 December 2004, in which it requested the Secretary-General to strengthen the web site through further redeployment to the required language posts,

Reaffirming the need to achieve full parity among the six official languages on the United Nations web site,

Also reaffirming its request to the Secretary-General to ensure that the Department of Public Information has appropriate staffing capacity in all official languages of the United Nations to undertake all its activities,

1. *Takes note* of the report of the Secretary-General[155] and paragraphs 19 to 23 of the report of the Advisory Committee on Administrative and Budgetary Questions;[156]

2. *Requests* the Secretary-General to submit proposals to strengthen the United Nations web site within the context of the proposed programme budget for the biennium 2006–2007;

X

Financial viability of the United Nations Institute for Training and Research

Recalling section XIV of its resolution 58/272 of 23 December 2003,

Having considered the note by the Secretary-General on the financial viability of the United Nations Institute for Training and Research, transmitting the note by the Board of Trustees of the Institute on the rationalization of the financial structure of the Institute,[157] and the related report of the Advisory Committee on Administrative and Budgetary Questions presented orally by its Chairman,[158]

1. *Takes note with concern* of the observations and conclusions of the Board of Trustees of the United Nations Institute for Training and Research transmitted under the cover of the note by the Secretary-General;[157]

2. *Stresses* the importance of maintaining the current level of the training programmes of the Institute, and requests the Board of Trustees to make every effort to ensure that in 2005 the level of training programmes will be maintained;

3. *Stresses also* the need for continued consideration of the issues related to the Institute's rent, rental rates and maintenance costs, taking into account its financial situation, with a view to its expeditious resolution;

4. *Requests* the Secretary-General to submit, as a priority, to the General Assembly at the beginning of its sixtieth session, and prior to the introduction of the proposed programme budget for the biennium 2006–2007, a comprehensive report on all aspects of the financial situation of the Institute, including proposals which would address the long-term, sound and predictable funding of rent and maintenance costs;

5. *Decides* to consider the outcome of its consideration of that report in the context of the proposed programme budget for the biennium 2006–2007;

XI

Strengthened and unified security management system for the United Nations

Recalling its resolutions 56/255 of 24 December 2001, 56/286 of 27 June 2002, 57/305 of 15 April 2003, 58/270 of 23 December 2003, 58/295 of 18 June 2004 and all relevant resolutions regarding the security and safety of United Nations operations, staff and premises,

Having considered the report of the Secretary-General on a strengthened and unified security management system for the United Nations[159] and the report of the Office of Internal Oversight Services on the utilization and management of funds appropriated during the biennium 2002–2003 for strengthening the security and safety of United Nations premises,[160]

Having also considered the report of the Advisory Committee on Administrative and Budgetary Questions,[161]

Underlining the importance of achieving the highest levels of professionalism and expertise within United Nations security management,

Reaffirming Article 97 of the Charter of the United Nations,

Reaffirming also the role of the General Assembly in carrying out a thorough analysis and approval of posts and financial resources as well as human resources policies with a view to ensuring the full implementation of all mandated programmes and activities and the implementation of all policies in this regard,

Reaffirming further that the Fifth Committee is the appropriate Main Committee of the General Assembly responsible for administrative and budgetary matters,

1. *Takes note* of the report of the Secretary-General;[159]

2. *Reaffirms* the importance of ensuring the safety and security of United Nations staff, operations and premises;

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[157] A/59/271.

[158] See *Official Records of the General Assembly, Fifty-ninth Session, Fifth Committee*, 33rd meeting (A/C.5/59/SR.33), and corrigendum.

[159] A/59/365 and Corr.1 and Add.1 and Add.1/Corr.1.

[160] See A/59/396.

[161] A/59/539.

3. *Emphasizes* that the primary responsibility for ensuring the safety and security of United Nations staff and premises rests with the host country, and also emphasizes the role of the relevant host country agreements in defining this responsibility;

4. *Recognizes* the need for the urgent implementation of a unified and strengthened security management system in order to ensure the safety and security of United Nations staff, operations and premises at United Nations Headquarters and main duty stations, as well as in the field;

5. *Stresses* that the effective functioning at the country level of security operations on a decentralized basis as proposed by the Secretary-General requires a unified capacity for policy, standards, coordination, communication, compliance and threat and risk assessment;

6. *Endorses* the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions,[161] subject to the provisions of the present resolution;

7. *Decides*, bearing in mind the observations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 64 of its report[161] and General Assembly resolution 32/204 of 21 December 1977 on organizational nomenclature in the Secretariat, to establish a Department of Safety and Security;

8. *Welcomes* the report of the Office of Internal Oversight Services[160] on the utilization and management of funds appropriated by the General Assembly in its resolution 56/286 in response to concerns about delays and cost escalation, notes the progress made more recently in the implementation of these projects, and urges the Secretary-General to complete their implementation expeditiously;

9. *Notes with concern* the delays, cost escalation and deficiencies in planning and administering security-strengthening projects, particularly at Headquarters and at the United Nations Office at Geneva, in relation to funds appropriated by the General Assembly in its resolution 56/286, as set out by the Office of Internal Oversight Services in its report,[160] and requests the Secretary-General to ensure that in the implementation of Assembly resolution 58/295, as well as the present resolution, funds appropriated for security-strengthening projects are managed and disbursed with great oversight, efficiency and effectiveness and in a timely manner;

10. *Requests* the Secretary-General to report on the implementation of recommendations contained in the report of the Office of Internal Oversight Services[160] and also to entrust the Office of Internal Oversight Services to report on the utilization and management of funds approved by the General Assembly in its resolution 58/295 and in the present resolution for security-strengthening projects for submission to the Assembly at its sixtieth session;

11. *Emphasizes* the need for an enhanced culture of security awareness on the part of all staff and compliance with safety and security rules and procedures throughout the United Nations system, as well as clear lines of authority and accountability;

12. *Affirms* that United Nations security management requires clear lines of authority and accountability at all managerial levels at Headquarters and in the field for the implementation of safety and security rules and procedures;

13. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session an accountability framework for the United Nations security management system as a whole, which would, inter alia:

(*a*) Update the report on field security;[162]

(*b*) Make clear the role of each responsible official;

(*c*) Provide information on how non-military lines of security-related authority lead to the head of the Department of Safety and Security;

14. *Also requests* the Secretary-General, in consultation with the executive heads of United Nations funds and programmes that maintain their own security personnel in the field, to elaborate in the updated accountability framework on how such security staff are integrated into the unified security management structure at the country level under the authority of the designated official and to clarify the authority of the designated official over such staff;

15. *Further requests* the Secretary-General, in order to strengthen security compliance, to apply available measures for disciplinary action to be taken at all levels, especially at the managerial level, in all departments for non-compliance with security standards, norms and procedures, and to report thereon to the General Assembly at its sixtieth session;

16. *Requests* the Secretary-General, in order to strengthen security compliance, as Chairman of the United Nations System Chief Executives Board for Coordination, to propose to the executive heads of agencies, funds and programmes that participate in the United Nations security management system that they apply available measures for disciplinary action to be taken at all levels for non-compliance with security standards, norms and procedures;

17. *Reaffirms* Article 101 of the Charter of the United Nations;

18. *Urges* the Secretary-General to preserve the international character of the Organization in the recruitment of relevant categories of safety and security staff;

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[162] See A/57/365.

19. *Recognizes* that the Professional posts created by the present resolution under the regular budget would be added to the pool of posts subject to the system of geographical distribution in accordance with established procedures;

20. *Urges* the Secretary-General to ensure that recruitment to Professional and higher categories is made on a wide geographical basis;

21. *Requests* the Secretary-General to elaborate further on his proposals concerning career development, a new profile for security officers and the further professionalization of security personnel referred to in paragraphs 25 and 31 of his report,[163] to submit detailed proposals on retirement policy given the special requirements for security staff and to report thereon to the General Assembly at its sixtieth session;

22. *Decides*, on an exceptional basis and without setting any precedent, that the Under-Secretary-General for Safety and Security shall serve for one non-renewable term not exceeding five years;

23. *Also decides* that the Under-Secretary-General for Safety and Security shall be appointed with full respect for the principle of equitable geographical representation and guided by its resolution 46/232 of 2 March 1992, whereby the General Assembly decided, inter alia, that as a general rule no national of a Member State should succeed a national of that State in that post and that there should be no monopoly on senior posts by nationals of any State or group of States;

24. *Further decides* to establish a D-2 post of deputy to the Under-Secretary-General and to review the post in the context of the implementation report to be submitted by the Secretary-General to the General Assembly at its sixtieth session;

25. *Decides* to establish the post of the head of the Division of Safety and Security Services at the D-2 level and to review the post in the context of the implementation report to be submitted by the Secretary-General to the General Assembly at its sixtieth session;

26. *Also decides* to establish 383 new security and safety officer posts within the General Service and related categories, of which 249 are established posts and 134 are on a temporary post basis;

27. *Further decides* to review the newly approved posts referred to in paragraph 26 above in the light of a comprehensive report to be submitted by the Secretary-General to the General Assembly at its sixtieth session addressing all elements contributing to the security planning of the Organization, including the updating and revision of host country agreements as well as the different capacities of host countries to provide security to the United Nations, as outlined in paragraphs 19 and 20 of the report of the Advisory Committee on Administrative and Budgetary Questions;[161]

28. *Decides* to establish an Executive Office in the Department of Safety and Security consisting of 17 posts to handle its administrative support functions;

29. *Also decides* to appropriate 500,000 dollars under general temporary assistance to provide surge capacity for the Department of Safety and Security;

30. *Further decides* to approve the creation of the posts proposed by the Secretary-General in field locations;

31. *Recognizes* the need for the security and safety sections at the eight headquarters and main duty stations of the United Nations to convey threat and risk assessments through the appropriate regional desks;

32. *Notes* that threat and risk assessments will be conducted primarily by the field offices and reviewed by the regional desks;

33. *Decides* to enhance the capacity for threat and risk assessment by establishing one P-4, two P-3 and one General Service post in addition to the existing P-5 post, and further decides that this capacity will be located in the Office of the Director of Regional Operations;

34. *Reaffirms* paragraph 2 of its resolution 58/295;

35. *Notes* that in paragraph 54 of his report,[163] the Secretary-General proposed getting input on threats and risks from sources other than international organizations and Governments, and emphasizes that it is incumbent on the Department of Safety and Security, in making its objective judgement, to weigh the reliability and responsibility of the source as well as the reliability and validity of the information being used in order to produce threat and risk assessments;

36. *Decides*, in this context, that threat and risk assessments to be provided to Headquarters should be prepared by country offices and other components of the United Nations system, on an objective basis and in full cooperation with the national authorities of host countries;

37. *Reaffirms*, in this context, Article 100 of the Charter of the United Nations;

38. *Requests* the Secretary-General to strengthen the process for the continuous review of threat and risk assessment so as to enable timely, systematic and periodic review of the phases, and requests the Secretary-General to keep the respective national Governments apprised in a timely manner of any changes resulting from such review;

39. *Also requests* the Secretary-General to provide information, upon request by Member States, about the methodology used for determining phases of threat and risk assessment;

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[163] A/59/365 and Corr.1.

40. *Further requests* the Secretary-General to provide, in the context of the implementation report, information on strengthening the cooperation between the Department of Safety and Security and the Department of Peacekeeping Operations with respect to security decisions that may affect the conduct of peacekeeping operations, in the framework of the unified security management system, which would be led by the Department of Safety and Security under the provisions of the present resolution;

41. *Notes* that the malicious acts insurance policy has a worldwide coverage except in headquarters countries, namely, Austria, Canada, France, Germany, Italy, Japan, the Netherlands, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America;

42. *Notes with concern* that there are some staff in the United Nations system who are working in the field and are not covered by the malicious acts insurance policy or a comparable scheme;

43. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to address this matter in the context of the Board and to report to the General Assembly thereon at its sixtieth session with a view to ensuring that all staff are covered;

44. *Decides* to defer until the second part of the resumed fifty-ninth session of the General Assembly consideration of the proposal of the Secretary-General on the global access control system,[164] pending the receipt of a detailed report by the Secretary-General, which will include the following:

(*a*) Integration with projects approved by the General Assembly in previous resolutions, including those in the context of the overall information technology strategy;

(*b*) The impact of implementing the global access control system on human resources requirements in the area of safety and security;

(*c*) The individual characteristics of each United Nations headquarters and main duty station;

(*d*) The implications of the global access control system for the capital master plan;

(*e*) Detailed information regarding the global identity management system, including the principles and guidelines for sharing the information obtained through the system, the level of centralization needed for managing this information and who would have access to the information;

(*f*) The time frame for implementation of the system;

45. *Decides also* to defer consideration of the expansion of the security service fitness facility and to revert to this issue in the context of its consideration of the scope of work of the capital master plan;

46. *Requests* the Secretary-General to ensure that infrastructure projects approved for Headquarters under the present resolution should not, pending a decision on the capital master plan, incur additional unnecessary costs at a later date under the capital master plan;

47. *Also requests* the Secretary-General to submit to the General Assembly at its sixtieth session the results of the technical study on information and communication technology security, business continuity and disaster recovery, with detailed costing and a timetable;

48. *Decides* to maintain existing arrangements with regard to cost-sharing for safety and security;

49. *Requests* the Secretary-General, in his capacity as the Chairman of the United Nations System Chief Executives Board for Coordination, while fully implementing the decision of the General Assembly to maintain the current cost-sharing arrangements, to submit a report to the General Assembly at its sixty-first session on measures taken to improve the operational administration of existing cost-sharing arrangements;

50. *Stresses* the importance that all entities participating in specific arrangements in place at headquarters duty stations for sharing the costs of the central security and safety services should provide prompt and secure funding for such arrangements;

51. *Decides* that the present cost-sharing arrangements relating to field security for those organizations which are not part of the United Nations system should be retained;

52. *Invites* those organizations of the United Nations system which are currently in arrears with their contributions to the United Nations under the present cost-sharing arrangements to take steps to ensure prompt payment of the outstanding sums;

53. *Decides* to approve an additional appropriation under the regular budget in the amount of 53,633,300 dollars, as detailed in the annex to the present section;

54. *Also decides* to approve an additional appropriation in the amount of 6,069,700 dollars under section 34, Staff assessment, of the programme budget for the biennium 2004–2005, to be offset by an equivalent amount of income under income section 1, Income from staff assessment;

55. *Recognizes* the need for a clearer presentation of security spending by each organization of the United Nations system, and requests the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to inform the General Assembly at its sixtieth session on this issue;

56. *Requests* the Secretary-General to examine the possibility for further integration and rationalization of the

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[164] See A/59/365/Add.1 and Corr.1.

security management system and to report thereon to the General Assembly at its sixty-first session;

57. *Also requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

Annex

Additional appropriations for the strengthened and unified security management system for the United Nations, at revised 2004–2005 rates, by section of the programme budget for the biennium 2004–2005

(Thousands of United States dollars)

Budget section		*Additional appropriation*
3.	Political affairs	147.2
4.	Disarmament	50.5
5.	Peacekeeping operations	1 612.6
13.	International Trade Centre UNCTAD/WTO	669.4
18.	Economic and social development in Africa	(2 383.0)
19.	Economic and social development in Asia and the Pacific	(4 775.9)
21.	Economic and social development in Latin America and the Caribbean	(2 960.3)
22.	Economic and social development in Western Asia	(3 833.7)
24.	Human rights	45.4
25.	Protection of and assistance to refugees	5 103.2
26.	Palestine refugees	708.4
28.	Public information	223.1
29D.	Office of Central Support Services	(36 240.0)
29E.	Administration, Geneva	(19 601.5)
29F.	Administration, Vienna	(5 609.8)
29G.	Administration, Nairobi	(5 835.0)
31.	Jointly financed administrative activities	(17 796.1)
33.	Construction, alteration, improvement and major maintenance	4 003.4
36.	Safety and security	140 105.4
	Total	**53 633.3**
34.	Staff assessment	6 069.7
Income section 1. Income from staff assessment		(6 069.7)

XII

Administrative and financial implications of decisions and recommendations of the International Civil Service Commission for 2004

Recalling its resolution 59/268 of 23 December 2004 on the United Nations common system,

Takes note of the statement submitted by the Secretary-General[165] on the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2004[166] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[167]

XIII

Contingency fund: consolidated statement of programme budget implications and revised estimates

Decides to appropriate the required amounts, as contained in the report of the Secretary-General;[168]

Notes that a balance of 7,854,800 dollars remains in the contingency fund.

RESOLUTIONS 59/277 A to C

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/448/Add.2, para. 41)[169]

59/277. Programme budget for the biennium 2004–2005

A

REVISED BUDGET APPROPRIATIONS FOR THE BIENNIUM 2004–2005

The General Assembly

Resolves that, for the biennium 2004–2005, the amount of 3,179,196,100 United States dollars appropriated by it in its resolutions 58/271 A of 23 December 2003 and 58/295 of 18 June 2004 shall be adjusted by 428,977,800 dollars, as follows:

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[165] A/59/429.

[166] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 30* (A/59/30), vols. I and II.

[167] A/59/522.

[168] A/C.5/59/27.

[169] The draft resolutions recommended in the report were submitted by the Chairman of the Committee.

	Budget section	*Amount approved in resolutions 58/271 A and 58/295*[a]	*Increase/ (decrease)*	*Revised appropriation*
			(United States dollars)	
	Part I. *Overall policy-making, direction and coordination*			
1.	Overall policy-making, direction and coordination	58 504 400	3 038 800	61 543 200
2.	General Assembly affairs and conference services	533 574 800	26 681 700	560 256 500
	Total, part I	**592 079 200**	**29 720 500**	**621 799 700**
	Part II. *Political affairs*			
3.	Political affairs	242 461 500	185 165 700	427 627 200
4.	Disarmament	18 118 400	621 500	18 739 900
5.	Peacekeeping operations	89 898 300	2 961 500	92 859 800
6.	Peaceful uses of outer space	5 484 400	419 500	5 903 900
	Total, part II	**355 962 600**	**189 168 200**	**545 130 800**
	Part III. *International justice and law*			
7.	International Court of Justice	31 621 900	3 314 100	34 936 000
8.	Legal affairs	39 303 000	1 331 000	40 634 000
	Total, part III	**70 924 900**	**4 645 100**	**75 570 000**
	Part IV. *International cooperation for development*			
9.	Economic and social affairs	137 739 400	5 288 300	143 027 700
10.	Least developed countries, landlocked developing countries and small island developing States	4 231 900	126 700	4 358 600
11.	United Nations support for the New Partnership for Africa's Development	9 344 000	231 000	9 575 000
12.	Trade and development	106 241 800	8 560 500	114 802 300
13.	International Trade Centre UNCTAD/WTO	23 472 200	2 664 100	26 136 300
14.	Environment	10 530 100	385 700	10 915 800
15.	Human settlements	15 536 200	476 600	16 012 800
16.	Crime prevention and criminal justice	9 392 800	647 400	10 040 200
17.	International drug control	20 006 900	1 469 200	21 476 100
	Total, part IV	**336 495 300**	**19 849 500**	**356 344 800**
	Part V. *Regional cooperation for development*			
18.	Economic and social development in Africa	95 672 700	569 300	96 242 000
19.	Economic and social development in Asia and the Pacific	67 236 900	(2 169 800)	65 067 100
20.	Economic development in Europe	50 196 800	4 565 000	54 761 800
21.	Economic and social development in Latin America and the Caribbean	80 884 900	4 486 500	85 371 400
22.	Economic and social development in Western Asia	52 713 800	(1 718 200)	50 995 600
23.	Regular programme of technical cooperation	42 871 500		42 871 500
	Total, part V	**389 576 600**	**5 732 800**	**395 309 400**

Budget section		Amount approved in resolutions 58/271 A and 58/295[a] (United States dollars)	Increase (decrease) (United States dollars)	Revised appropriation (United States dollars)
	Part VI. *Human rights and humanitarian affairs*			
24.	Human rights	56 794 500	7 776 800	64 571 300
25.	Protection of and assistance to refugees	56 731 900	9 512 000	66 243 900
26.	Palestine refugees	33 851 800	789 200	34 641 000
27.	Humanitarian assistance	23 292 300	983 000	24 275 300
	Total, part VI	**170 670 500**	**19 061 000**	**189 731 500**
	Part VII. *Public information*			
28.	Public information	156 056 100	6 266 500	162 322 600
	Total, part VII	**156 056 100**	**6 266 500**	**162 322 600**
	Part VIII. *Common support services*			
29.	Management and central support services	525 139 700	(47 993 900)	477 145 800
	Total, part VIII	**525 139 700**	**(47 993 900)**	**477 145 800**
	Part IX. *Internal oversight*			
30.	Internal oversight	23 227 200	959 800	24 187 000
	Total, part IX	**23 227 200**	**959 800**	**24 187 000**
	Part X. *Jointly financed administrative activities and special expenses*			
31.	Jointly financed administrative activities	25 573 200	(15 128 000)	10 445 200
32.	Special expenses	79 455 100	1 800 800	81 255 900
	Total, part X	**105 028 300**	**(13 327 200)**	**91 701 100**
	Part XI. *Capital expenditures*			
33.	Construction, alteration, improvement and major maintenance	58 651 300	45 915 300	104 566 600
	Total, part XI	**58 651 300**	**45 915 300**	**104 566 600**
	Part XII. *Staff assessment*			
34.	Staff assessment	382 319 400	28 874 800	411 194 200
	Total, part XII	**382 319 400**	**28 874 800**	**411 194 200**
	Part XIII. *Development Account*			
35.	Development Account	13 065 000	–	13 065 000
	Total, part XIII	**13 065 000**	**–**	**13 065 000**
	Part XIV. *Safety and security*			
36.	Safety and security	–	140 105 400	140 105 400
	Total, part XIV	**–**	**140 105 400**	**140 105 400**
	Grand total	**3 179 196 100**	**428 977 800**	**3 608 173 900**

[a] See also A/59/578, para. 58.

B

REVISED INCOME ESTIMATES FOR THE BIENNIUM 2004–2005

The General Assembly

Resolves that, for the biennium 2004–2005, the estimates of income of 415,340,500 United States dollars approved by it in its resolutions 58/271 B of 23 December 2003 and 58/295 of 18 June 2004 shall be increased by 28,511,400 dollars, as follows:

Income section	*Amount approved in resolutions 58/271 B and 58/295*	*Increase/ (decrease)*	*Revised income estimates*
		(United States dollars)	
1. Income from staff assessment	386 540 400	29 073 300	415 613 700
Total, income section 1	**386 540 400**	**29 073 300**	**415 613 700**
2. General income	24 043 200	(33 700)	24 009 500
3. Services to the public	4 756 900	(528 200)	4 228 700
Total, income sections 2 and 3	**28 800 100**	**(561 900)**	**28 238 200**
Grand total	**415 340 500**	**28 511 400**	**443 851 900**

C

FINANCING OF THE APPROPRIATIONS FOR THE YEAR 2005

The General Assembly

Resolves that, for the year 2005:

1. Budget appropriations totalling 2,027,743,750 United States dollars and consisting of 1,580,430,150 dollars, being half of the appropriation initially approved for the biennium 2004–2005 in its resolution 58/271 A of 23 December 2003, 18,335,800 dollars, being the additional appropriation approved for the biennium 2004–2005 in its resolution 58/295 of 18 June 2004, and 428,977,800 dollars, being the increase approved in resolution A above, shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations and Rules of the United Nations,[170] as follows:

(*a*) 29,509,150 dollars, consisting of:

(i) 14,400,050 dollars, being half of the estimated income other than income from staff assessment approved for the biennium 2004–2005 in its resolution 58/271 B of 23 December 2003;

(ii) Less 561,900 dollars, being the decrease approved in resolution B above;

(iii) 15,671,000 dollars, being the balance in the surplus account as at 31 December 2003;

(*b*) 1,998,234,600 dollars, being the assessment on Member States in accordance with its resolution 58/1 B of 23 December 2003;

2. There shall be set off against the assessment on Member States, in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955, their respective share in the Tax Equalization Fund in the total amount of 218,725,650 dollars, consisting of:

(*a*) 193,245,850 dollars, being half of the estimated staff assessment income approved by the Assembly in its resolution 58/271 B;

(*b*) 48,700 dollars, being the estimated staff assessment income approved by the Assembly in its resolution 58/295;

(*c*) 29,073,300 dollars, being the estimated increase in income from staff assessment approved in resolution B above;

(*d*) Less 3,642,200 dollars, being the decrease in income from staff assessment for the biennium 2002–2003 compared with the revised estimates approved by the Assembly in its resolution 58/267 B of 23 December 2003.

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[170] ST/SGB/2003/7.

RESOLUTION 59/278

Adopted at the 76th plenary meeting, on 23 December 2004, without a vote, on the recommendation of the Committee (A/59/652, para. 9)[171]

59/278. Proposed programme budget outline for the biennium 2006–2007

The General Assembly,

Reaffirming its resolution 41/213 of 19 December 1986, in which it requested the Secretary-General to submit in off-budget years an outline of the proposed programme budget for the following biennium,

Reaffirming also section VI of its resolution 45/248 B of 21 December 1990,

Reaffirming further rule 153 of its rules of procedure,

Recalling its resolution 58/269 of 23 December 2003,

Having considered the report of the Secretary-General on the proposed programme budget outline for the biennium 2006–2007[172] and the related recommendations of the Advisory Committee on Administrative and Budgetary Questions,[173]

1. *Endorses* the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions;[173]

2. *Reaffirms* that the proposed programme budget outline shall contain an indication of the following:

(*a*) A preliminary estimate of resources needed to accommodate the proposed programme of activities during the biennium;

(*b*) Priorities, reflecting general trends of a broad sectoral nature;

(*c*) Real growth, positive or negative, compared with the previous budget;

(*d*) Size of the contingency fund expressed as a percentage of the overall level of resources;

3. *Also reaffirms* that the budget outline should provide a greater level of predictability of resources required for the following biennium and promote greater involvement of Member States in the budgetary process, thereby facilitating the broadest possible agreement on the programme budget;

4. *Further reaffirms* that the budget proposals of the Secretary-General should reflect resource levels commensurate with mandates for their full, efficient and effective implementation;

5. *Notes* that the budget outline is a preliminary estimate of resources;

6. *Invites* the Secretary-General to prepare his proposed programme budget for the biennium 2006–2007 on the basis of a preliminary estimate of 3,621,900,000 United States dollars at revised 2004–2005 rates;

7. *Decides* that the proposed programme budget for the biennium 2006–2007 shall contain provisions for recosting on the basis of the existing methodology;

8. *Decides also* that the priorities for the biennium 2006–2007 shall be the following:

(*a*) Maintenance of international peace and security;

(*b*) Promotion of sustained economic growth and sustainable development, in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences;

(*c*) Development of Africa;

(*d*) Promotion of human rights;

(*e*) Effective coordination of humanitarian assistance efforts;

(*f*) Promotion of justice and international law;

(*g*) Disarmament;

(*h*) Drug control, crime prevention and combating international terrorism in all its forms and manifestations;

9. *Requests* the Secretary-General, in view of his preliminary indicative estimates contained in the proposed budget outline, to reflect the priorities outlined in paragraph 8 above when presenting the proposed programme budget for the biennium 2006–2007;

10. *Decides* that the contingency fund shall be set at the level of 0.75 per cent of the preliminary estimate, namely, at 27.2 million dollars, that this amount shall be in addition to the overall level of the preliminary estimate and that it shall be used in accordance with the procedures for the use and operation of the contingency fund.

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[171] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[172] A/59/415.

[173] See A/59/600.

VII. Resolutions adopted on the reports of the Sixth Committee

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RESOLUTION 59/34

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/504, para. 7)[1]

59/34. Nationality of natural persons in relation to the succession of States

The General Assembly,

Having examined the item entitled "Nationality of natural persons in relation to the succession of States",

Recalling its resolution 54/112 of 9 December 1999, in which it decided to consider at its fifty-fifth session the draft articles on nationality of natural persons in relation to the succession of States prepared by the International Law Commission,

Recalling also its resolution 55/153 of 12 December 2000, the annex to which contains the articles on nationality of natural persons in relation to the succession of States,

Taking into consideration the comments and observations of Governments[2] and the discussion held in the Sixth Committee at the fifty-ninth session of the General Assembly[3] on the question of nationality of natural persons in relation to the succession of States, in particular, to preventing the occurrence of statelessness as a result of a succession of States,

Taking note, in this regard, of the efforts made at the regional level towards the elaboration of a legal instrument on the avoidance of statelessness in relation to State succession,

1. *Reiterates its invitation* to Governments to take into account, as appropriate, the provisions of the articles contained in the annex to resolution 55/153, in dealing with issues of nationality of natural persons in relation to the succession of States;

2. *Encourages* States to consider, as appropriate, at the regional or subregional levels, the elaboration of legal instruments regulating questions of nationality of natural persons in relation to the succession of States, with a view, in particular, to preventing the occurrence of statelessness as a result of a succession of States;

3. *Invites* Governments to submit comments concerning the advisability of elaborating a legal instrument on the question of nationality of natural persons in relation to the succession of States, including the avoidance of statelessness as a result of a succession of States;

4. *Decides* to include in the provisional agenda of its sixty-third session the item entitled "Nationality of natural persons in relation to the succession of States".

RESOLUTION 59/35

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/505, para. 6)[4]

59/35. Responsibility of States for internationally wrongful acts

The General Assembly,

Recalling its resolution 56/83 of 12 December 2001, the annex to which contains the text of the articles on responsibility of States for internationally wrongful acts,

Emphasizing the continuing importance of the codification and progressive development of international law, as referred to in Article 13, paragraph 1 (*a*), of the Charter of the United Nations,

Noting that the subject of responsibility of States for internationally wrongful acts is of major importance in relations between States,

1. *Commends once again* the articles on responsibility of States for internationally wrongful acts to the attention of Governments, without prejudice to the question of their future adoption or other appropriate action;

2. *Requests* the Secretary-General to invite Governments to submit their written comments on any future action regarding the articles;

3. *Also requests* the Secretary-General to prepare an initial compilation of decisions of international courts, tribunals and other bodies referring to the articles and to invite Governments to submit information on their practice in this regard, and further requests the Secretary-General to submit this material well in advance of its sixty-second session;

4. *Decides* to include in the provisional agenda of its sixty-second session the item entitled "Responsibility of States for internationally wrongful acts".

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[1] The draft resolution recommended in the report was introduced by the representative of Greece on behalf of the Bureau.

[2] A/59/180 and Add.1 and 2.

[3] *Official Records of the General Assembly, Fifty-ninth Session, Sixth Committee*, 15th meeting (A/C.6/59/SR.15), and corrigendum.

[4] The draft resolution recommended in the report was introduced by the representative of Trinidad and Tobago on behalf of the Bureau.

RESOLUTION 59/36

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/506, para. 7)[5]

59/36. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984, 41/72 of 3 December 1986, 43/161 of 9 December 1988, 45/38 of 28 November 1990, 47/30 of 25 November 1992, 49/48 of 9 December 1994, 51/155 of 16 December 1996, 53/96 of 8 December 1998, 55/148 of 12 December 2000 and 57/14 of 19 November 2002,

Having considered the report of the Secretary-General,[6]

Thanking Member States and the International Committee of the Red Cross for their contribution to the report of the Secretary-General,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for those rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

Stressing the possibility of making use of the International Fact-Finding Commission in relation to an armed conflict, pursuant to article 90 of Protocol I[7] to the Geneva Conventions of 1949,[8]

Stressing also the possibility for the International Fact-Finding Commission to facilitate, through its good offices, the restoration of an attitude of respect for the Geneva Conventions and Protocol I,

Stressing further the need to consolidate the existing body of international humanitarian law through its universal acceptance and the need for wide dissemination and full implementation of such law at the national level, and expressing concern about all violations of the Geneva Conventions and the two Additional Protocols,[9]

Noting with satisfaction the increasing number of national commissions and other bodies involved in advising authorities at the national level on the implementation, dissemination and development of international humanitarian law,

Noting with appreciation the meetings of representatives of those bodies organized by the International Committee of the Red Cross to facilitate the sharing of concrete experience and the exchange of views on their roles and on the challenges they face,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and disseminate knowledge of international humanitarian law, in particular the Geneva Conventions and the two Additional Protocols,

Recalling that the Twenty-eighth International Conference of the Red Cross and Red Crescent stressed the need to reinforce the implementation of and respect for international humanitarian law,

Noting the fiftieth anniversary of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted at The Hague in 1954,[10] which was observed in May 2004, as well as the commemorative events organized in particular by or in cooperation with the United Nations Educational, Scientific and Cultural Organization and the International Committee of the Red Cross, and recalling the important achievement of enhancing the protection of cultural property in the event of armed conflicts,

Recalling the entry into force, on 9 March 2004, of the second Protocol[11] to the 1954 Hague Convention, and appreciating the ratifications received so far,

Acknowledging the fact that the Rome Statute of the International Criminal Court,[12] which entered into force on 1 July 2002, includes the most serious crimes of international concern under international humanitarian law, and that the Statute, while recalling that it is the duty of every State to exercise its criminal jurisdiction over those responsible for such crimes, shows the determination of the international community to put an end to impunity for the perpetrators of such crimes and thus to contribute to their prevention,

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[5] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Australia, Austria, Belarus, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Jamaica, Jordan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Monaco, Mongolia, Mozambique, Namibia, Netherlands, New Zealand, Nigeria, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay and Zambia.

[6] A/59/321.

[7] United Nations, *Treaty Series*, vol. 1125, No. 17512.

[8] Ibid., vol. 75, Nos. 970–973.

[9] Ibid., vol. 1125, Nos. 17512 and 17513.

[10] Ibid., vol. 249, No. 3511.

[11] *International Legal Materials*, vol. XXXVIII, p. 769.

[12] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

Acknowledging also the usefulness of discussing in the General Assembly the status of instruments of international humanitarian law relevant to the protection of victims of armed conflicts,

1. *Appreciates* the virtually universal acceptance of the Geneva Conventions of 1949,[8] and notes the trend towards a similarly wide acceptance of the two Additional Protocols of 1977;[9]

2. *Calls upon* all States parties to the Geneva Conventions that have not yet done so to consider becoming parties to the Additional Protocols at the earliest possible date;

3. *Calls upon* all States that are already parties to Protocol I,[7] or those States not parties, on becoming parties to Protocol I, to make the declaration provided for under article 90 of that Protocol;

4. *Calls upon* all States that have not yet done so to consider becoming parties to the Convention for the Protection of Cultural Property in the Event of Armed Conflict[10] and the two Protocols thereto, and to other relevant treaties on international humanitarian law relating to the protection of victims of armed conflict;

5. *Calls upon* all States parties to the Protocols Additional to the Geneva Conventions to ensure their wide dissemination and full implementation;

6. *Notes with appreciation* the Declaration and Agenda for Humanitarian Action adopted by the Twenty-eighth International Conference of the Red Cross and Red Crescent, which noted that all States must take national measures to implement international humanitarian law, including training of the armed forces and making this law known among the general public, as well as the adoption of legislation to punish war crimes in accordance with their international obligations;

7. *Affirms* the necessity of making the implementation of international humanitarian law more effective;

8. *Welcomes* the advisory service activities of the International Committee of the Red Cross in supporting efforts made by Member States to take legislative and administrative action to implement international humanitarian law and in promoting the exchange of information on those efforts between Governments;

9. *Also welcomes* the increasing number of national commissions or committees for the implementation of international humanitarian law and for promoting the incorporation of treaties on international humanitarian law into national law and disseminating the rules of international humanitarian law;

10. *Calls upon* States to consider becoming parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;[13]

11. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the status of the Additional Protocols relating to the protection of victims of armed conflicts, as well as on measures taken to strengthen the existing body of international humanitarian law, inter alia, with respect to its dissemination and full implementation at the national level, based on information received from Member States and the International Committee of the Red Cross;

12. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

RESOLUTION 59/37

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/507, para. 7)[14]

59/37. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

The General Assembly,

Having considered the report of the Secretary-General,[15]

Conscious of the need to develop and strengthen friendly relations and cooperation among States,

Convinced that respect for the principles and rules of international law governing diplomatic and consular relations is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

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[13] Resolution 54/263, annex I.

[14] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Australia, Austria, Azerbaijan, Belgium, Bulgaria, Burkina Faso, Cambodia, Canada, Chile, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jordan, Latvia, Liechtenstein, Luxembourg, Madagascar, Mali, Malta, Marshall Islands, Netherlands, New Zealand, Nigeria, Norway, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay.

[15] A/59/125 and Add.1.

Alarmed by the recent acts of violence against diplomatic and consular representatives, as well as against representatives of international intergovernmental organizations and officials of such organizations, which have endangered or taken innocent lives and seriously impeded the normal work of such representatives and officials,

Expressing sympathy for the victims of such illegal acts,

Concerned at the failure to respect the inviolability of diplomatic and consular missions and representatives,

Recalling that, without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State,

Recalling also that diplomatic and consular premises must not be used in any manner incompatible with the functions of diplomatic and consular missions,

Emphasizing the duty of States to take all appropriate measures as required by international law, including measures of a preventive nature, and to bring offenders to justice,

Welcoming measures already taken by States to this end in conformity with their international obligations,

Convinced that the role of the United Nations, which includes the reporting procedures established pursuant to General Assembly resolution 35/168 of 15 December 1980 and further elaborated in subsequent Assembly resolutions, is important in promoting efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

1. *Takes note* of the report of the Secretary-General;[15]

2. *Strongly condemns* acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives of international intergovernmental organizations and officials of such organizations, and emphasizes that such acts can never be justified;

3. *Urges* States to strictly observe, implement and enforce the principles and rules of international law governing diplomatic and consular relations and, in particular, to ensure, in conformity with their international obligations, the protection, security and safety of the missions, representatives and officials mentioned in paragraph 2 above officially present in territories under their jurisdiction, including practical measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions, representatives and officials;

4. *Also urges* States to take all necessary measures at the national and international levels to prevent any acts of violence against the missions, representatives and officials mentioned in paragraph 2 above, and to ensure, with the participation of the United Nations where appropriate, that such acts are fully investigated with a view to bringing offenders to justice;

5. *Recommends* that States cooperate closely through, inter alia, contacts between the diplomatic and consular missions and the receiving State with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives and with regard to the exchange of information on the circumstances of all serious violations thereof;

6. *Urges* States to take all appropriate measures, in accordance with international law, at the national and international levels, to prevent any abuse of diplomatic or consular privileges and immunities, in particular serious abuses, including those involving acts of violence;

7. *Recommends* that States cooperate closely with the State in whose territory abuses of diplomatic and consular privileges and immunities may have occurred, including by exchanging information and providing assistance to its juridical authorities in order to bring offenders to justice;

8. *Calls upon* States that have not yet done so to consider becoming parties to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives;

9. *Calls upon* States, in cases where a dispute arises in connection with a violation of their international obligations concerning the protection of the missions or the security of the representatives and officials mentioned in paragraph 2 above, to make use of the means available for peaceful settlement of disputes, including the good offices of the Secretary-General, and requests the Secretary-General, when he deems it appropriate, to offer his good offices to the States directly concerned;

10. *Requests*:

(*a*) All States to report to the Secretary-General as promptly as possible serious violations of the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;

(*b*) The State in which the violation took place – and, to the extent possible, the State where the alleged offender is present – to report to the Secretary-General as promptly as possible on measures taken to bring the offender to justice and eventually to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and to report on measures adopted with a view to preventing a repetition of such violations;

(*c*) The States so reporting to consider using or taking into account the guidelines prepared by the Secretary-General;[16]

11. *Requests* the Secretary-General:

(*a*) To send, without delay, a circular note to all States reminding them of the request contained in paragraph 10 above;

(*b*) To circulate to all States, upon receipt, the reports received by him pursuant to paragraph 10 above, unless the reporting State requests otherwise;

(*c*) To draw the attention, when appropriate, of the States directly concerned to the reporting procedures provided for in paragraph 10 above, when a serious violation has been reported pursuant to paragraph 10 (*a*) above;

(*d*) To address reminders to States where such violations have occurred if reports pursuant to paragraph 10 (*a*) above or follow-up reports pursuant to paragraph 10 (*b*) above have not been made within a reasonable period of time;

12. *Also requests* the Secretary-General to invite States, in the circular note referred to in paragraph 11 (*a*) above, to inform him of their views with respect to any measures needed or already taken to enhance the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;

13. *Further requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report containing:

(*a*) Information on the state of ratification of, and accessions to, the instruments referred to in paragraph 8 above;

(*b*) A summary of the reports received and views expressed pursuant to paragraphs 10 and 12 above;

14. *Invites* the Secretary-General to include in his report to the General Assembly any views he may wish to express on the matters referred to in paragraph 13 above;

15. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives".

RESOLUTION 59/38

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/508, para. 9)[17]

59/38. United Nations Convention on Jurisdictional Immunities of States and Their Property

The General Assembly,

Bearing in mind Article 13, paragraph 1 (a), of the Charter of the United Nations,

Recalling its resolution 32/151 of 19 December 1977, in which it recommended that the International Law Commission take up the study of the law of jurisdictional immunities of States and their property with a view to its progressive development and codification, and its subsequent resolutions 46/55 of 9 December 1991, 49/61 of 9 December 1994, 52/151 of 15 December 1997, 54/101 of 9 December 1999, 55/150 of 12 December 2000, 56/78 of 12 December 2001, 57/16 of 19 November 2002 and 58/74 of 9 December 2003,

Recalling also that the International Law Commission submitted a final set of draft articles, with commentaries, on the law of jurisdictional immunities of States and their property in chapter II of its report on the work of its forty-third session,[18]

Recalling further the reports of the open-ended Working Group of the Sixth Committee,[19] as well as the report of the Working Group on Jurisdictional Immunities of States and Their Property of the International Law Commission,[20] submitted in accordance with General Assembly resolution 53/98 of 8 December 1998,

Recalling that in its resolution 55/150 it decided to establish the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property, open also to participation by States members of the specialized agencies, to further the work done, consolidate areas of agreement and resolve outstanding issues with a view to elaborating a generally acceptable instrument based on the draft articles on jurisdictional immunities of States and their property adopted by the International Law Commission and also on the discussions of the open-ended Working Group of the Sixth Committee,

Having considered the report of the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property,[21]

Stressing the importance of uniformity and clarity in the law of jurisdictional immunities of States and their property, and emphasizing the role of a convention in this regard,

Noting the broad support for the conclusion of a convention on jurisdictional immunities of States and their property,

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[16] A/42/485, annex.

[17] The draft resolution recommended in the report was introduced by the representative of Austria on behalf of the Bureau.

[18] *Official Records of the General Assembly, Forty-sixth Session, Supplement No. 10* (A/46/10).

[19] A/C.6/54/L.12 and A/C.6/55/L.12.

[20] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 10* and corrigenda (A/54/10 and Corr.1 and 2), annex.

[21] Ibid., *Fifty-ninth Session, Supplement No. 22* (A/59/22).

Taking into account the statement of the Chairman of the Ad Hoc Committee introducing the report of the Ad Hoc Committee,[22]

1. *Expresses its deep appreciation* to the International Law Commission and the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property for their valuable work on the law of jurisdictional immunities of States and their property;

2. *Agrees* with the general understanding reached in the Ad Hoc Committee that the United Nations Convention on Jurisdictional Immunities of States and Their Property does not cover criminal proceedings;

3. *Adopts* the United Nations Convention on Jurisdictional Immunities of States and Their Property, which is contained in the annex to the present resolution, and requests the Secretary-General as depositary to open it for signature;

4. *Invites* States to become parties to the Convention.

Annex

United Nations Convention on Jurisdictional Immunities of States and Their Property

The States Parties to the present Convention,

Considering that the jurisdictional immunities of States and their property are generally accepted as a principle of customary international law,

Having in mind the principles of international law embodied in the Charter of the United Nations,

Believing that an international convention on the jurisdictional immunities of States and their property would enhance the rule of law and legal certainty, particularly in dealings of States with natural or juridical persons, and would contribute to the codification and development of international law and the harmonization of practice in this area,

Taking into account developments in State practice with regard to the jurisdictional immunities of States and their property,

Affirming that the rules of customary international law continue to govern matters not regulated by the provisions of the present Convention,

Have agreed as follows:

Part I
Introduction

Article 1
Scope of the present Convention

The present Convention applies to the immunity of a State and its property from the jurisdiction of the courts of another State.

Article 2
Use of terms

1. For the purposes of the present Convention:

(*a*) "court" means any organ of a State, however named, entitled to exercise judicial functions;

(*b*) "State" means:

(i) the State and its various organs of government;

(ii) constituent units of a federal State or political subdivisions of the State, which are entitled to perform acts in the exercise of sovereign authority, and are acting in that capacity;

(iii) agencies or instrumentalities of the State or other entities, to the extent that they are entitled to perform and are actually performing acts in the exercise of sovereign authority of the State;

(iv) representatives of the State acting in that capacity;

(*c*) "commercial transaction" means:

(i) any commercial contract or transaction for the sale of goods or supply of services;

(ii) any contract for a loan or other transaction of a financial nature, including any obligation of guarantee or of indemnity in respect of any such loan or transaction;

(iii) any other contract or transaction of a commercial, industrial, trading or professional nature, but not including a contract of employment of persons.

2. In determining whether a contract or transaction is a "commercial transaction" under paragraph 1 (*c*), reference should be made primarily to the nature of the contract or transaction, but its purpose should also be taken into account if the parties to the contract or transaction have so agreed, or if, in the practice of the State of the forum, that purpose is relevant to determining the non-commercial character of the contract or transaction.

3. The provisions of paragraphs 1 and 2 regarding the use of terms in the present Convention are without prejudice to the use of those terms or to the meanings which may be given to them in other international instruments or in the internal law of any State.

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[22] Ibid., *Fifty-ninth Session, Sixth Committee*, 13th meeting (A/C.6/59/SR.13), and corrigendum.

Article 3
Privileges and immunities not affected by the present Convention

1. The present Convention is without prejudice to the privileges and immunities enjoyed by a State under international law in relation to the exercise of the functions of:

(*a*) its diplomatic missions, consular posts, special missions, missions to international organizations or delegations to organs of international organizations or to international conferences, and

(*b*) persons connected with them.

2. The present Convention is without prejudice to privileges and immunities accorded under international law to Heads of State *ratione personae*.

3. The present Convention is without prejudice to the immunities enjoyed by a State under international law with respect to aircraft or space objects owned or operated by a State.

Article 4
Non-retroactivity of the present Convention

Without prejudice to the application of any rules set forth in the present Convention to which jurisdictional immunities of States and their property are subject under international law independently of the present Convention, the present Convention shall not apply to any question of jurisdictional immunities of States or their property arising in a proceeding instituted against a State before a court of another State prior to the entry into force of the present Convention for the States concerned.

Part II
General principles

Article 5
State immunity

A State enjoys immunity, in respect of itself and its property, from the jurisdiction of the courts of another State subject to the provisions of the present Convention.

Article 6
Modalities for giving effect to State immunity

1. A State shall give effect to State immunity under article 5 by refraining from exercising jurisdiction in a proceeding before its courts against another State and to that end shall ensure that its courts determine on their own initiative that the immunity of that other State under article 5 is respected.

2. A proceeding before a court of a State shall be considered to have been instituted against another State if that other State:

(*a*) is named as a party to that proceeding; or

(*b*) is not named as a party to the proceeding but the proceeding in effect seeks to affect the property, rights, interests or activities of that other State.

Article 7
Express consent to exercise of jurisdiction

1. A State cannot invoke immunity from jurisdiction in a proceeding before a court of another State with regard to a matter or case if it has expressly consented to the exercise of jurisdiction by the court with regard to the matter or case:

(*a*) by international agreement;

(*b*) in a written contract; or

(*c*) by a declaration before the court or by a written communication in a specific proceeding.

2. Agreement by a State for the application of the law of another State shall not be interpreted as consent to the exercise of jurisdiction by the courts of that other State.

Article 8
Effect of participation in a proceeding before a court

1. A State cannot invoke immunity from jurisdiction in a proceeding before a court of another State if it has:

(*a*) itself instituted the proceeding; or

(*b*) intervened in the proceeding or taken any other step relating to the merits. However, if the State satisfies the court that it could not have acquired knowledge of facts on which a claim to immunity can be based until after it took such a step, it can claim immunity based on those facts, provided it does so at the earliest possible moment.

2. A State shall not be considered to have consented to the exercise of jurisdiction by a court of another State if it intervenes in a proceeding or takes any other step for the sole purpose of:

(*a*) invoking immunity; or

(*b*) asserting a right or interest in property at issue in the proceeding.

3. The appearance of a representative of a State before a court of another State as a witness shall not be interpreted as consent by the former State to the exercise of jurisdiction by the court.

4. Failure on the part of a State to enter an appearance in a proceeding before a court of another State shall not be interpreted as consent by the former State to the exercise of jurisdiction by the court.

Article 9
Counterclaims

1. A State instituting a proceeding before a court of another State cannot invoke immunity from the jurisdiction of the court in respect of any counterclaim arising out of the same legal relationship or facts as the principal claim.

2. A State intervening to present a claim in a proceeding before a court of another State cannot invoke immunity from the jurisdiction of the court in respect of any counterclaim arising out of the same legal relationship or facts as the claim presented by the State.

3. A State making a counterclaim in a proceeding instituted against it before a court of another State cannot invoke immunity from the jurisdiction of the court in respect of the principal claim.

Part III
Proceedings in which State immunity cannot be invoked

Article 10
Commercial transactions

1. If a State engages in a commercial transaction with a foreign natural or juridical person and, by virtue of the applicable rules of private international law, differences relating to the commercial transaction fall within the jurisdiction of a court of another State, the State cannot invoke immunity from that jurisdiction in a proceeding arising out of that commercial transaction.

2. Paragraph 1 does not apply:

(*a*) in the case of a commercial transaction between States; or

(*b*) if the parties to the commercial transaction have expressly agreed otherwise.

3. Where a State enterprise or other entity established by a State which has an independent legal personality and is capable of:

(*a*) suing or being sued; and

(*b*) acquiring, owning or possessing and disposing of property, including property which that State has authorized it to operate or manage,

is involved in a proceeding which relates to a commercial transaction in which that entity is engaged, the immunity from jurisdiction enjoyed by that State shall not be affected.

Article 11
Contracts of employment

1. Unless otherwise agreed between the States concerned, a State cannot invoke immunity from jurisdiction before a court of another State which is otherwise competent in a proceeding which relates to a contract of employment between the State and an individual for work performed or to be performed, in whole or in part, in the territory of that other State.

2. Paragraph 1 does not apply if:

(*a*) the employee has been recruited to perform particular functions in the exercise of governmental authority;

(*b*) the employee is:

(i) a diplomatic agent, as defined in the Vienna Convention on Diplomatic Relations of 1961;

(ii) a consular officer, as defined in the Vienna Convention on Consular Relations of 1963;

(iii) a member of the diplomatic staff of a permanent mission to an international organization or of a special mission, or is recruited to represent a State at an international conference; or

(iv) any other person enjoying diplomatic immunity;

(*c*) the subject-matter of the proceeding is the recruitment, renewal of employment or reinstatement of an individual;

(*d*) the subject-matter of the proceeding is the dismissal or termination of employment of an individual and, as determined by the Head of State, the Head of Government or the Minister for Foreign Affairs of the employer State, such a proceeding would interfere with the security interests of that State;

(*e*) the employee is a national of the employer State at the time when the proceeding is instituted, unless this person has the permanent residence in the State of the forum; or

(*f*) the employer State and the employee have otherwise agreed in writing, subject to any considerations of public policy conferring on the courts of the State of the forum exclusive jurisdiction by reason of the subject-matter of the proceeding.

Article 12
Personal injuries and damage to property

Unless otherwise agreed between the States concerned, a State cannot invoke immunity from jurisdiction before a court of another State which is otherwise competent in a proceeding which relates to pecuniary compensation for death or injury to the person, or damage to or loss of tangible property, caused by an act or omission which is alleged to be attributable to the State, if the act or omission occurred in whole or in part in the territory of that other State and if the author of the act or omission was present in that territory at the time of the act or omission.

Article 13
Ownership, possession and use of property

Unless otherwise agreed between the States concerned, a State cannot invoke immunity from jurisdiction before a court of another State which is otherwise competent in a proceeding which relates to the determination of:

(*a*) any right or interest of the State in, or its possession or use of, or any obligation of the State arising out of its interest in, or its possession or use of, immovable property situated in the State of the forum;

(*b*) any right or interest of the State in movable or immovable property arising by way of succession, gift or *bona vacantia*; or

(*c*) any right or interest of the State in the administration of property, such as trust property, the estate of a bankrupt or the property of a company in the event of its winding up.

Article 14
Intellectual and industrial property

Unless otherwise agreed between the States concerned, a State cannot invoke immunity from jurisdiction before a court of another State which is otherwise competent in a proceeding which relates to:

(*a*) the determination of any right of the State in a patent, industrial design, trade name or business name, trademark, copyright or any other form of intellectual or industrial property which enjoys a measure of legal protection, even if provisional, in the State of the forum; or

(*b*) an alleged infringement by the State, in the territory of the State of the forum, of a right of the nature mentioned in subparagraph (*a*) which belongs to a third person and is protected in the State of the forum.

Article 15
Participation in companies or other collective bodies

1. A State cannot invoke immunity from jurisdiction before a court of another State which is otherwise competent in a proceeding which relates to its participation in a company or other collective body, whether incorporated or unincorporated, being a proceeding concerning the relationship between the State and the body or the other participants therein, provided that the body:

(*a*) has participants other than States or international organizations; and

(*b*) is incorporated or constituted under the law of the State of the forum or has its seat or principal place of business in that State.

2. A State can, however, invoke immunity from jurisdiction in such a proceeding if the States concerned have so agreed or if the parties to the dispute have so provided by an agreement in writing or if the instrument establishing or regulating the body in question contains provisions to that effect.

Article 16
Ships owned or operated by a State

1. Unless otherwise agreed between the States concerned, a State which owns or operates a ship cannot invoke immunity from jurisdiction before a court of another State which is otherwise competent in a proceeding which relates to the operation of that ship if, at the time the cause of action arose, the ship was used for other than government non-commercial purposes.

2. Paragraph 1 does not apply to warships, or naval auxiliaries, nor does it apply to other vessels owned or operated by a State and used, for the time being, only on government non-commercial service.

3. Unless otherwise agreed between the States concerned, a State cannot invoke immunity from jurisdiction before a court of another State which is otherwise competent in a proceeding which relates to the carriage of cargo on board a ship owned or operated by that State if, at the time the cause of action arose, the ship was used for other than government non-commercial purposes.

4. Paragraph 3 does not apply to any cargo carried on board the ships referred to in paragraph 2, nor does it apply to any cargo owned by a State and used or intended for use exclusively for government non-commercial purposes.

5. States may plead all measures of defence, prescription and limitation of liability which are available to private ships and cargoes and their owners.

6. If in a proceeding there arises a question relating to the government and non-commercial character of a ship owned or operated by a State or cargo owned by a State, a certificate signed by a diplomatic representative or other competent authority of that State and communicated to the court shall serve as evidence of the character of that ship or cargo.

Article 17
Effect of an arbitration agreement

If a State enters into an agreement in writing with a foreign natural or juridical person to submit to arbitration differences relating to a commercial transaction, that State cannot invoke immunity from jurisdiction before a court of another State which is otherwise competent in a proceeding which relates to:

(*a*) the validity, interpretation or application of the arbitration agreement;

(*b*) the arbitration procedure; or

(*c*) the confirmation or the setting aside of the award,

unless the arbitration agreement otherwise provides.

Part IV
State immunity from measures of constraint in connection with proceedings before a court

Article 18
State immunity from pre-judgment measures of constraint

No pre-judgment measures of constraint, such as attachment or arrest, against property of a State may be taken in connection with a proceeding before a court of another State unless and except to the extent that:

(*a*) the State has expressly consented to the taking of such measures as indicated:

(i) by international agreement;

(ii) by an arbitration agreement or in a written contract; or

(iii) by a declaration before the court or by a written communication after a dispute between the parties has arisen; or

(*b*) the State has allocated or earmarked property for the satisfaction of the claim which is the object of that proceeding.

Article 19
State immunity from post-judgment measures of constraint

No post-judgment measures of constraint, such as attachment, arrest or execution, against property of a State may be taken in connection with a proceeding before a court of another State unless and except to the extent that:

(*a*) the State has expressly consented to the taking of such measures as indicated:

(i) by international agreement;

(ii) by an arbitration agreement or in a written contract; or

(iii) by a declaration before the court or by a written communication after a dispute between the parties has arisen; or

(*b*) the State has allocated or earmarked property for the satisfaction of the claim which is the object of that proceeding; or

(*c*) it has been established that the property is specifically in use or intended for use by the State for other than government non-commercial purposes and is in the territory of the State of the forum, provided that post-judgment measures of constraint may only be taken against property that has a connection with the entity against which the proceeding was directed.

Article 20
Effect of consent to jurisdiction to measures of constraint

Where consent to the measures of constraint is required under articles 18 and 19, consent to the exercise of jurisdiction under article 7 shall not imply consent to the taking of measures of constraint.

Article 21
Specific categories of property

1. The following categories, in particular, of property of a State shall not be considered as property specifically in use or intended for use by the State for other than government non-commercial purposes under article 19, subparagraph (*c*):

(*a*) property, including any bank account, which is used or intended for use in the performance of the functions of the diplomatic mission of the State or its consular posts, special missions, missions to international organizations or delegations to organs of international organizations or to international conferences;

(*b*) property of a military character or used or intended for use in the performance of military functions;

(*c*) property of the central bank or other monetary authority of the State;

(*d*) property forming part of the cultural heritage of the State or part of its archives and not placed or intended to be placed on sale;

(*e*) property forming part of an exhibition of objects of scientific, cultural or historical interest and not placed or intended to be placed on sale.

2. Paragraph 1 is without prejudice to article 18 and article 19, subparagraphs (*a*) and (*b*).

Part V
Miscellaneous provisions

Article 22
Service of process

1. Service of process by writ or other document instituting a proceeding against a State shall be effected:

(*a*) in accordance with any applicable international convention binding on the State of the forum and the State concerned; or

(*b*) in accordance with any special arrangement for service between the claimant and the State concerned, if not precluded by the law of the State of the forum; or

(*c*) in the absence of such a convention or special arrangement:

(i) by transmission through diplomatic channels to the Ministry of Foreign Affairs of the State concerned; or

(ii) by any other means accepted by the State concerned, if not precluded by the law of the State of the forum.

2. Service of process referred to in paragraph 1 (*c*) (i) is deemed to have been effected by receipt of the documents by the Ministry of Foreign Affairs.

3. These documents shall be accompanied, if necessary, by a translation into the official language, or one of the official languages, of the State concerned.

4. Any State that enters an appearance on the merits in a proceeding instituted against it may not thereafter assert that service of process did not comply with the provisions of paragraphs 1 and 3.

Article 23
Default judgment

1. A default judgment shall not be rendered against a State unless the court has found that:

(*a*) the requirements laid down in article 22, paragraphs 1 and 3, have been complied with;

(*b*) a period of not less than four months has expired from the date on which the service of the writ or other document instituting a proceeding has been effected or deemed to have been effected in accordance with article 22, paragraphs 1 and 2; and

(*c*) the present Convention does not preclude it from exercising jurisdiction.

2. A copy of any default judgment rendered against a State, accompanied if necessary by a translation into the official language or one of the official languages of the State concerned, shall be transmitted to it through one of the means specified in article 22, paragraph 1, and in accordance with the provisions of that paragraph.

3. The time-limit for applying to have a default judgment set aside shall not be less than four months and shall begin to run from the date on which the copy of the judgment is received or is deemed to have been received by the State concerned.

Article 24
Privileges and immunities during court proceedings

1. Any failure or refusal by a State to comply with an order of a court of another State enjoining it to perform or refrain from performing a specific act or to produce any document or disclose any other information for the purposes of a proceeding shall entail no consequences other than those which may result from such conduct in relation to the merits of the case. In particular, no fine or penalty shall be imposed on the State by reason of such failure or refusal.

2. A State shall not be required to provide any security, bond or deposit, however described, to guarantee the payment of judicial costs or expenses in any proceeding to which it is a respondent party before a court of another State.

Part VI
Final clauses

Article 25
Annex

The annex to the present Convention forms an integral part of the Convention.

Article 26
Other international agreements

Nothing in the present Convention shall affect the rights and obligations of States Parties under existing international agreements which relate to matters dealt with in the present Convention as between the parties to those agreements.

Article 27
Settlement of disputes

1. States Parties shall endeavour to settle disputes concerning the interpretation or application of the present Convention through negotiation.

2. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which cannot be settled through negotiation within six months shall, at the request of any of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

3. Each State Party may, at the time of signature, ratification, acceptance or approval of, or accession to, the present Convention, declare that it does not consider itself bound by paragraph 2. The other States Parties shall not be bound by paragraph 2 with respect to any State Party which has made such a declaration.

4. Any State Party that has made a declaration in accordance with paragraph 3 may at any time withdraw that declaration by notification to the Secretary-General of the United Nations.

Article 28
Signature

The present Convention shall be open for signature by all States until 17 January 2007, at United Nations Headquarters, New York.

Article 29
Ratification, acceptance, approval or accession

1. The present Convention shall be subject to ratification, acceptance or approval.

2. The present Convention shall remain open for accession by any State.

3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the United Nations.

Article 30
Entry into force

1. The present Convention shall enter into force on the thirtieth day following the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations.

2. For each State ratifying, accepting, approving or acceding to the present Convention after the deposit of the thirtieth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification, acceptance, approval or accession.

Article 31
Denunciation

1. Any State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect one year following the date on which notification is received by the Secretary-General of the United Nations. The present Convention shall, however, continue to apply to any question of jurisdictional immunities of States or their property arising in a proceeding instituted against a State before a court of another State prior to the date on which the denunciation takes effect for any of the States concerned.

3. The denunciation shall not in any way affect the duty of any State Party to fulfil any obligation embodied in the present Convention to which it would be subject under international law independently of the present Convention.

Article 32
Depositary and notifications

1. The Secretary-General of the United Nations is designated the depositary of the present Convention.

2. As depositary of the present Convention, the Secretary-General of the United Nations shall inform all States of the following:

(*a*) signatures of the present Convention and the deposit of instruments of ratification, acceptance, approval or accession or notifications of denunciation, in accordance with articles 29 and 31;

(*b*) the date on which the present Convention will enter into force, in accordance with article 30;

(*c*) any acts, notifications or communications relating to the present Convention.

Article 33
Authentic texts

The Arabic, Chinese, English, French, Russian and Spanish texts of the present Convention are equally authentic.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention opened for signature at United Nations Headquarters in New York on 17 January 2005.

Annex to the Convention

Understandings with respect to certain provisions of the Convention

The present annex is for the purpose of setting out understandings relating to the provisions concerned.

With respect to article 10

The term "immunity" in article 10 is to be understood in the context of the present Convention as a whole.

Article 10, paragraph 3, does not prejudge the question of "piercing the corporate veil", questions relating to a situation where a State entity has deliberately misrepresented its financial position or subsequently reduced its assets to avoid satisfying a claim, or other related issues.

With respect to article 11

The reference in article 11, paragraph 2 (*d*), to the "security interests" of the employer State is intended primarily to address matters of national security and the security of diplomatic missions and consular posts.

Under article 41 of the 1961 Vienna Convention on Diplomatic Relations and article 55 of the 1963 Vienna Convention on Consular Relations, all persons referred to in those articles have the duty to respect the laws and regulations, including labour laws, of the host country. At the same time, under article 38 of the 1961 Vienna Convention on Diplomatic Relations and article 71 of the 1963 Vienna Convention on Consular Relations, the receiving State has a duty to exercise its jurisdiction in such a manner as not to interfere unduly with the performance of the functions of the mission or the consular post.

With respect to articles 13 and 14

The expression "determination" is used to refer not only to the ascertainment or verification of the existence of the rights protected, but also to the evaluation or assessment of the substance, including content, scope and extent, of such rights.

With respect to article 17

The expression "commercial transaction" includes investment matters.

With respect to article 19

The expression "entity" in subparagraph (*c*) means the State as an independent legal personality, a constituent unit of a federal State, a subdivision of a State, an agency or instrumentality of a State or other entity, which enjoys independent legal personality.

The words "property that has a connection with the entity" in subparagraph (*c*) are to be understood as broader than ownership or possession.

Article 19 does not prejudge the question of "piercing the corporate veil", questions relating to a situation where a State entity has deliberately misrepresented its financial position or subsequently reduced its assets to avoid satisfying a claim, or other related issues.

RESOLUTION 59/39

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/509, para. 10)[23]

59/39. Report of the United Nations Commission on International Trade Law on the work of its thirty-seventh session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its belief that the progressive modernization and harmonization of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would contribute significantly to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Having considered the report of the Commission on its thirty-seventh session,[24]

Reiterating its concern that activities undertaken by other bodies in the field of international trade law without adequate coordination with the Commission might lead to undesirable duplication of efforts and would not be in keeping with the aim of promoting efficiency, consistency and coherence in the unification and harmonization of international trade law,

Reaffirming the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field, in particular to avoid duplication of efforts, including among organizations formulating rules of international trade, and to promote efficiency, consistency and coherence in the modernization and harmonization of international trade law, and to continue, through its secretariat, to maintain close cooperation with other international organs and organizations, including regional organizations, active in the field of international trade law,

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on its thirty-seventh session;[24]

2. *Commends* the Commission for the completion and adoption of its Legislative Guide on Insolvency Law;[25]

3. *Also commends* the Commission for the progress made in the work on a draft convention on electronic contracting, on a draft instrument on transport law, on a draft legislative guide on secured transactions and on model legislative provisions on interim measures in international commercial arbitration, and for the Commission's decision to undertake a revision of its Model Law on Procurement of Goods, Construction and Services[26] to reflect new practices, including those resulting from the increasing use of electronic communications in public procurement;[27]

4. *Endorses* the efforts and initiatives of the Commission, as the core legal body within the United Nations system in the field of international trade law, aimed at increasing coordination of and cooperation on legal activities of international and regional organizations active in the field of international trade law, and in this regard appeals to relevant

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[23] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Argentina, Australia, Austria, Bahamas, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Fiji, Finland, France, Gabon, Germany, Greece, Guatemala, Guinea, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jordan, Kenya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Norway, Paraguay, Philippines, Portugal, Republic of Korea, Romania, Russian Federation, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay.

[24] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 17* (A/59/17).

[25] Ibid., chap. III.

[26] Ibid., *Forty-ninth Session, Supplement No. 17* and corrigendum (A/49/17 and Corr.1), annex I.

[27] Ibid., *Fifty-ninth Session, Supplement No. 17* (A/59/17), chap. VIII, paras. 81 and 82.

international and regional organizations to coordinate their legal activities with those of the Commission, to avoid duplication of efforts and to promote efficiency, consistency and coherence in the modernization and harmonization of international trade law;

5. *Reaffirms* the importance, in particular for developing countries, of the work of the Commission concerned with training and legislative technical assistance in the field of international trade law, and in this connection:

(*a*) Welcomes the Commission's initiatives towards expanding, through its secretariat, its training and legislative technical assistance programme;

(*b*) Expresses its appreciation to the Commission for organizing seminars and briefing missions in Azerbaijan, Colombia, Serbia and Montenegro, the Sudan, Thailand, Venezuela and Yemen;

(*c*) Expresses its appreciation to the Governments whose contributions enabled the seminars and briefing missions to take place, and appeals to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in carrying out training and legislative technical assistance activities, in particular in developing countries;

(*d*) Reiterates its appeal to the United Nations Development Programme and other bodies responsible for development assistance, such as the World Bank and regional development banks, as well as to Governments in their bilateral aid programmes, to support the training and legislative technical assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission;

6. *Takes note with regret* that, since the previous session of the Commission, no contributions have been made to the trust fund established to provide travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General, stresses the need for contributions to the trust fund in order to increase expert representation from developing countries at sessions of the Commission and its working groups, and reiterates its appeal to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the trust fund;

7. *Decides*, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue, in the competent Main Committee during the fifty-ninth session of the General Assembly, its consideration of granting travel assistance to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;

8. *Recalls* its resolutions on partnerships between the United Nations and non-State actors, in particular the private sector,[28] and in this regard welcomes the Commission's consideration of the means of actively engaging non-State actors in its work,[29] and encourages the Commission to further explore different approaches to the use of partnerships with non-State actors in the implementation of its mandate, in particular in the area of training and technical assistance, in accordance with the applicable principles and guidelines and in cooperation and coordination with other relevant offices of the Secretariat;

9. *Approves*, in conformity with its resolutions on documentation-related matters, which, in particular, emphasize that any reduction in the length of documents should not adversely affect either the quality of the presentation or the substance of the documents,[30] the conclusions reached by the Commission in paragraphs 124 to 128 of its report[24] regarding the imposition of page limits on its documentation, and requests the Secretary-General to bear in mind the particular characteristics of the mandate and work of the Commission in implementing page limits with respect to the documentation of the Commission;

10. *Also approves* the conclusions of the Commission in paragraph 130 of its report regarding the need for the continuing provision of summary records of its meetings relating to the formulation of normative texts;

11. *Stresses* the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law, and, to this end, urges States that have not yet done so to consider signing, ratifying or acceding to those conventions;

12. *Notes* that 2005 will mark the twenty-fifth anniversary of the adoption of the United Nations Convention on Contracts for the International Sale of Goods[31] and the twentieth anniversary of the adoption of the Model Law on International Commercial Arbitration of the United Nations Commission on International Trade Law,[32] and in this regard welcomes initiatives being undertaken to organize conferences and similar events to provide a forum for assessing the experience, in particular of courts and arbitral tribunals, with those texts;

13. *Expresses its appreciation* for the preparation of a digest of case law on the United Nations Convention on

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[28] Resolutions 55/215, 56/76 and 58/129.

[29] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 17* (A/59/17), chap. XV, sect. A.

[30] Resolutions 57/283 B, section III, para. 29, and 58/250, section III, paras. 2 and 17.

[31] United Nations, *Treaty Series*, vol. 1489, No. 25567.

[32] *Official Records of the General Assembly, Fortieth Session, Supplement No. 17* (A/40/17), annex I.

Contracts for the International Sale of Goods, intended to assist in the dissemination of information on the Convention and promote its adoption, use and uniform interpretation, and for the progress of work on a digest of case law relating to the Model Law on International Commercial Arbitration.

RESOLUTION 59/40

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/509, para. 10)[33]

59/40. Legislative Guide on Insolvency Law of the United Nations Commission on International Trade Law

The General Assembly,

Recognizing the importance to all countries of strong, effective and efficient insolvency regimes as a means of encouraging economic development and investment,

Noting the growing realization that reorganization regimes are critical to corporate and economic recovery, the development of entrepreneurial activity, the preservation of employment and the availability of finance in the capital market,

Noting also the importance of social policy issues to the design of an insolvency regime,

Noting with satisfaction the completion and adoption of the Legislative Guide on Insolvency Law of the United Nations Commission on International Trade Law by the Commission at its thirty-seventh session, on 25 June 2004,[34]

Believing that the Legislative Guide, which includes the text of the Model Law on Cross-Border Insolvency and the Guide to Enactment recommended by the General Assembly in its resolution 52/158 of 15 December 1997, contributes significantly to the establishment of a harmonized legal framework for insolvency and will be useful both to States that do not have an effective and efficient insolvency regime and to States that are undertaking a process of review and modernization of their insolvency regimes,

Recognizing the need for cooperation and coordination between international organizations active in the field of insolvency law reform to ensure consistency and alignment of that work and to facilitate the development of international standards,

Noting that the preparation of the Legislative Guide was the subject of due deliberations and extensive consultations with Governments and international intergovernmental and non-governmental organizations active in the field of insolvency law reform,

1. *Expresses its appreciation* to the United Nations Commission on International Trade Law for the completion and adoption of its Legislative Guide on Insolvency Law;[34]

2. *Requests* the Secretary-General to publish the Legislative Guide and to make all efforts to ensure that it becomes generally known and available;

3. *Recommends* that all States give due consideration to the Legislative Guide when assessing the economic efficiency of their insolvency regimes and when revising or adopting legislation relevant to insolvency;

4. *Recommends also* that all States continue to consider implementation of the Model Law on Cross-Border Insolvency of the United Nations Commission on International Trade Law.

RESOLUTION 59/41

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/510, para. 8)[35]

59/41. Report of the International Law Commission on the work of its fifty-sixth session

The General Assembly,

Having considered the report of the International Law Commission on the work of its fifty-sixth session,[36]

Emphasizing the importance of furthering the codification and progressive development of international law as a means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[37]

Recognizing the desirability of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission for closer examination, and of enabling the Sixth Committee and the Commission to enhance further their contribution to the progressive development of international law and its codification,

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[33] The draft resolution recommended in the report was introduced by the Chairman of the Committee.

[34] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 17* (A/59/17), chap. III.

[35] The draft resolution recommended in the report was introduced by the representative of Hungary on behalf of the Bureau.

[36] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 10* (A/59/10).

[37] Resolution 2625 (XXV), annex.

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Welcoming the holding of the International Law Seminar, and noting with appreciation the voluntary contributions made to the United Nations Trust Fund for the International Law Seminar,

Stressing the usefulness of focusing and structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention to each of the main topics dealt with in the report and for discussions on specific topics,

Wishing to enhance further, in the context of the revitalization of the debate on the report of the International Law Commission, the interaction between the Sixth Committee as a body of governmental representatives and the Commission as a body of independent legal experts, with a view to improving the dialogue between the two bodies,

Welcoming initiatives to hold interactive debates, panel discussions and question time in the Sixth Committee, as envisaged in resolution 58/316 of 1 July 2004 on further measures for the revitalization of the work of the General Assembly,

1. *Takes note* of the report of the International Law Commission on the work of its fifty-sixth session,[36] and recommends that the Commission continue its work on the topics in its current programme, taking into account the comments and observations of Governments, whether submitted in writing or expressed orally in debates in the General Assembly;

2. *Expresses its appreciation* to the International Law Commission for the work accomplished at its fifty-sixth session, in particular for the completion of the first reading of draft articles on Diplomatic protection and of the draft principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities;

3. *Draws the attention* of Governments to the importance for the International Law Commission of having their views on the various aspects involved in the topics on the agenda of the Commission identified in chapter III of its report and in particular on:

(*a*) The draft articles and commentary on Diplomatic protection;

(*b*) The draft principles on Allocation of loss in the case of transboundary harm arising out of hazardous activities;

4. *Invites* Governments, within the context of paragraph 3 above, to provide information to the International Law Commission regarding:

(*a*) Their practice, bilateral or regional, relating to the allocation of groundwaters from transboundary aquifer systems and the management of non-renewable transboundary aquifer systems relating to the topic currently entitled "Shared natural resources";

(*b*) State practice on the topic "Unilateral acts of States";

5. *Endorses* the decision of the International Law Commission to include in its agenda the topics "Expulsion of aliens" and "Effects of armed conflicts on treaties";

6. *Takes note* of paragraphs 362 and 363 of the report of the International Law Commission with regard to its long-term programme of work and the syllabus on the new topic annexed to the report;

7. *Invites* the International Law Commission to continue taking measures to enhance its efficiency and productivity;

8. *Encourages* the International Law Commission to continue taking cost-saving measures at its future sessions;

9. *Takes note* of paragraph 370 of the report of the International Law Commission, and decides that the next session of the Commission shall be held at the United Nations Office at Geneva from 2 May to 3 June and from 4 July to 5 August 2005;

10. *Welcomes* the enhanced dialogue between the International Law Commission and the Sixth Committee at the fifty-ninth session of the General Assembly, stresses the desirability of further enhancing the dialogue between the two bodies, and in this context encourages, inter alia, the continued practice of informal consultations in the form of discussions between the members of the Sixth Committee and the members of the Commission attending the sixtieth session of the Assembly;

11. *Encourages* delegations, during the debate on the report of the International Law Commission to adhere as far as possible to the structured work programme agreed to by the Sixth Committee and to consider presenting concise and focused statements;

12. *Encourages* Member States to consider being represented at the level of legal adviser during the first week in which the report of the International Law Commission is discussed in the Sixth Committee (International Law Week) to enable high-level discussions on issues of international law;

13. *Requests* the International Law Commission to continue to pay special attention to indicating in its annual report, for each topic, any specific issues on which expressions

of views by Governments, either in the Sixth Committee or in written form, would be of particular interest in providing effective guidance for the Commission in its further work;

14. *Takes note* of paragraphs 371 to 376 of the report of the International Law Commission with regard to cooperation with other bodies, and encourages the Commission to continue the implementation of article 16, paragraph (*e*), and article 26, paragraphs 1 and 2, of its statute in order to further strengthen cooperation between the Commission and other bodies concerned with international law, having in mind the usefulness of such cooperation;

15. *Notes* that consulting with national organizations and individual experts concerned with international law may assist Governments in considering whether to make comments and observations on drafts submitted by the International Law Commission and in formulating their comments and observations;

16. *Reaffirms* its previous decisions concerning the indispensable role of the Codification Division of the Office of Legal Affairs of the Secretariat in providing assistance to the International Law Commission;

17. *Approves* the conclusions reached by the International Law Commission in paragraph 367 of its report and reaffirms its previous decisions concerning the documentation and summary records of the International Law Commission;[38]

18. *Expresses the hope* that the International Law Seminar will continue to be held in connection with the sessions of the International Law Commission and that an increasing number of participants, in particular from developing countries, will be given the opportunity to attend the Seminar, and appeals to States to continue to make urgently needed voluntary contributions to the United Nations Trust Fund for the International Law Seminar;

19. *Requests* the Secretary-General to provide the International Law Seminar with adequate services, including interpretation, as required, and encourages him to continue considering ways to improve the structure and content of the Seminar;

20. *Also requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the fifty-ninth session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate, following established practice;

21. *Requests* the Secretariat to circulate to States, as soon as possible after the conclusion of the session of the International Law Commission, chapter II of its report containing a summary of the work of that session, chapter III containing the specific issues on which the views of Governments would be of particular interest to the Commission and the draft articles adopted on either first or second reading by the Commission;

22. *Recommends* that the debate on the report of the International Law Commission at the sixtieth session of the General Assembly commence on 24 October 2005.

RESOLUTION 59/42

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/511, para. 8)[39]

59/42. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[40]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[41] the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[42] and the responsibilities of the host country,

Recalling also that, in accordance with paragraph 7 of General Assembly resolution 2819 (XXVI) of 15 December 1971, the Committee should consider, and advise the host country on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 26 of its report;[40]

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the

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[38] See resolutions 32/151, para. 10, and 37/111, para. 5, and all subsequent resolutions on the annual reports of the International Law Commission to the General Assembly.

[39] The draft resolution recommended in the report was sponsored in the Committee by: Bulgaria, Canada, Costa Rica, Côte d'Ivoire and Cyprus.

[40] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 26* (A/59/26).

[41] Resolution 22 A (I).

[42] See resolution 169 (II).

missions accredited to the United Nations and the observance of their privileges and immunities, which is an issue of great importance, are in the interest of the United Nations and all Member States, and requests the host country to continue to solve, through negotiations, problems that might arise and to take all measures necessary to prevent any interference with the functioning of missions;

3. *Notes* that the Committee conducted an initial detailed review of the implementation of the Parking Programme for Diplomatic Vehicles,[43] as recommended by the Legal Counsel in his opinion on 24 September 2002,[44] with a view to addressing the problems experienced by some permanent missions during the first year of the Programme and continuously ensuring its proper implementation in a manner that is fair, non-discriminatory, effective and therefore consistent with international law, and that it shall remain seized of the matter;

4. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

5. *Notes* that during the reporting period some travel restrictions previously imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities were removed, and requests the host country to consider removing the remaining travel restrictions, and in this regard notes the positions of affected States, of the Secretary-General and of the host country;

6. *Notes also* that the Committee anticipates that the host country will enhance its efforts to ensure the issuance, in a timely manner, of entry visas to representatives of Member States, pursuant to article IV, section 11, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,[42] inter alia, for the purpose of their attending official United Nations meetings;

7. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

8. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI);

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Report of the Committee on Relations with the Host Country".

RESOLUTION 59/43

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/512, para. 8)[45]

59/43. International Criminal Court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994, 50/46 of 11 December 1995, 51/207 of 17 December 1996, 52/160 of 15 December 1997, 53/105 of 8 December 1998, 54/105 of 9 December 1999, 55/155 of 12 December 2000, 56/85 of 12 December 2001, 57/23 of 19 November 2002 and 58/79 of 9 December 2003,

Noting that the Rome Statute of the International Criminal Court[46] was adopted on 17 July 1998 and entered into force on 1 July 2002,

Noting also the adoption of the Regulations of the International Criminal Court,[47] the entry into force of the Agreement on the Privileges and Immunities of the Court,[48] the opening of the first investigations by the Prosecutor and the constitution of the Pre-Trial Chambers of the Court,

Acknowledging the Relationship Agreement between the United Nations and the International Criminal Court ("Relationship Agreement") as approved by the Assembly of States Parties on 7 September 2004 and by the General Assembly in its resolution 58/318 of 13 September 2004,[49] including paragraph 3 of the resolution with respect to the full reimbursement of expenses resulting from the implementation of the Relationship Agreement,[50] and signed by the United Nations and the Court on 4 October 2004, thereby entering into force,

Reiterating the historic significance of the adoption of the Rome Statute of the International Criminal Court,

1. *Calls upon* all States that are not yet parties to the Rome Statute of the International Criminal Court[46] to consider ratifying or acceding to it without delay, and encourages efforts

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[43] A/AC.154/355, annex.

[44] A/AC.154/358, annex.

[45] The draft resolution recommended in the report was introduced by the representative of the Netherlands on behalf of the Bureau.

[46] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[47] ICC-BD/01-01-04.

[48] *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, First session, New York, 3–10 September 2002* (United Nations publication, Sales No. E.03.V.2 and corrigendum), part II.E.

[49] See A/58/874 and Add.1.

[50] Articles 10 and 13 of the Relationship Agreement.

aimed at promoting awareness of the results of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, held in Rome from 15 June to 17 July 1998, the provisions of the Statute and the process leading to the establishment of the International Criminal Court;

2. *Calls upon* all States to consider becoming parties to the Agreement on the Privileges and Immunities of the International Criminal Court[48] without delay;

3. *Welcomes* the holding of the third session of the Assembly of States Parties in The Hague from 6 to 10 September 2004, and also welcomes the election of the new President of the Assembly of States Parties, new members to the Committee on Budget and Finance and the second Deputy-Prosecutor, and the important decisions taken on that occasion, including the establishment of the secretariat of the Board of Directors of the Trust Fund for Victims, as well as the adoption of a number of resolutions;[51]

4. *Recalls* the establishment of the Special Working Group on the Crime of Aggression by the Assembly of States Parties to the Rome Statute of the International Criminal Court, open to all States on an equal footing;

5. *Expresses its appreciation* to the Secretary-General for providing effective and efficient assistance in the establishment of the International Criminal Court;

6. *Takes note* of the statement by the President of the Security Council of 6 October 2004,[52] in which the Secretary-General is thanked for his report on the rule of law,[53] in which reference was made to a number of efforts, in particular by the International Criminal Court to promote justice and the rule of law;

7. *Welcomes* the report of the Secretary-General on the work of the Organization,[54] in which references were made to the International Criminal Court;

8. *Welcomes also* the steps taken as explained in the note by the Secretariat on the International Criminal Court,[55] amongst which were those to close the various trust funds administered by the Secretary-General relating to the establishment of the Court and subsequent activities;

9. *Recalls* that pursuant to article 4, paragraph 2, of the Relationship Agreement,[56] the International Criminal Court may attend and participate in the work of the General Assembly in the capacity of observer and that pursuant to article 6 of the Relationship Agreement the Court may submit reports on its activities to the fifty-ninth and following sessions of the General Assembly;

10. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "Report of the International Criminal Court", under which shall be considered, with the Court invited to attend and to participate, pursuant to article 4, paragraph 2, of the Relationship Agreement, any report of the International Criminal Court, pursuant to article 6 of the Relationship Agreement.

RESOLUTION 59/44

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/513, para. 11)[57]

59/44. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council,[58]

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution

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[51] *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Third session, The Hague, 6–10 September 2004* (ICC-ASP/3/25).

[52] S/PRST/2004/34; see *Resolutions and Decisions of the Security Council, 1 August 2004–31 July 2005.*

[53] S/2004/616.

[54] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 1* (A/59/1).

[55] A/59/356.

[56] A/58/874, annex.

[57] The draft resolution recommended in the report was sponsored in the Committee by Egypt.

[58] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 47* (A/56/47).

51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Recalling further that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Considering the desirability of finding practical ways and means to strengthen the Court, taking into consideration, in particular, the needs resulting from its increased workload,

Taking note of the ongoing debate on the revised working papers on the working methods of the Special Committee,

Taking note also of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*,[59]

Recalling its resolution 58/248 of 23 December 2003,

Having considered the report of the Special Committee on the work of its session held in 2004,[60]

Noting with appreciation the work done by the Special Committee to encourage States to focus on the need to prevent and to settle peacefully their disputes which are likely to endanger the maintenance of international peace and security,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[60]

2. *Decides* that the Special Committee shall hold its next session from 14 to 24 March 2005;

3. *Requests* the Special Committee, at its session in 2005, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(*a*) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 2005;

(*b*) To continue to consider, on a priority basis and in an appropriate substantive manner and framework, the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter based on all of the related reports of the Secretary-General[61] and the proposals submitted on the question;

(*c*) To keep on its agenda the question of the peaceful settlement of disputes between States;

(*d*) To continue to consider proposals concerning the Trusteeship Council in the light of the report of the Secretary-General submitted in accordance with General Assembly resolution 50/55 of 11 December 1995,[62] the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform"[63] and the views expressed by States on this subject at previous sessions of the Assembly;

(*e*) To continue to consider, on a priority basis, ways and means of improving its working methods and enhancing its efficiency with a view to identifying widely acceptable measures for future implementation;

4. *Invites* the Special Committee at its session in 2005 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations;

5. *Notes* the readiness of the Special Committee to provide, within its mandate, such assistance as may be sought at the request of other subsidiary bodies of the General Assembly in relation to any issues before them;

6. *Requests* the Special Committee to submit a report on its work to the General Assembly at its sixtieth session;

7. *Takes note* of paragraphs 10 and 17 of the report of the Secretary-General;[59]

8. *Endorses* the efforts of the Secretary-General to eliminate the backlog in the publication of the *Repertoire of the Practice of the Security Council*;

9. *Requests* the Secretary-General to establish a trust fund to eliminate the backlog of the *Repertory of Practice of United Nations Organs*, which shall accept voluntary contributions by States, private institutions and individuals;

10. *Also requests* the Secretary-General to continue his efforts, within the level of the currently approved budget, towards making available electronically all versions of the *Repertory of Practice of United Nations Organs* as early as possible;

11. *Further requests* the Secretary-General to submit a report on both the *Repertory of Practice of United Nations*

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[59] A/59/189.

[60] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 33* (A/59/33).

[61] A/48/573-S/26705, A/49/356, A/50/60-S/1995/1, A/50/361, A/50/423, A/51/317, A/52/308, A/53/312, A/54/383 and Add.1, A/55/295 and Add.1, A/56/303, A/57/165 and Add.1, A/58/346 and A/59/334.

[62] A/50/1011.

[63] A/51/950 and Add.1–7.

Organs and the *Repertoire of the Practice of the Security Council* to the General Assembly at its sixtieth session;

12. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

RESOLUTION 59/45

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/513, para. 11)[64]

59/45. Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions

The General Assembly,

Concerned about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

Recognizing the desirability of the consideration of further appropriate procedures for consultations to deal in a more effective manner with the problems referred to in Article 50 of the Charter,

Recalling:

(*a*) The report of the Secretary-General entitled "An Agenda for Peace",[65] in particular paragraph 41 thereof,

(*b*) Its resolution 47/120 A of 18 December 1992, entitled "An Agenda for Peace: preventive diplomacy and related matters", its resolution 47/120 B of 20 September 1993, entitled "An Agenda for Peace", in particular section IV thereof, entitled "Special economic problems arising from the implementation of preventive or enforcement measures", and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", in particular annex II thereto, entitled "Question of sanctions imposed by the United Nations",

(*c*) The position paper of the Secretary-General entitled "Supplement to an Agenda for Peace",[66]

(*d*) The statement by the President of the Security Council of 22 February 1995,[67]

(*e*) The report of the Secretary-General[68] prepared pursuant to the statement by the President of the Security Council[69] regarding the question of special economic problems of States as a result of sanctions imposed under Chapter VII of the Charter,

(*f*) The annual overview reports of the Administrative Committee on Coordination for the period from 1992 to 2000[70] and the annual overview reports of the United Nations System Chief Executives Board for Coordination for 2001 to 2003,[71] in particular the sections on assistance to countries invoking Article 50 of the Charter,

(*g*) The reports of the Secretary-General on economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions against the Federal Republic of Yugoslavia[72] and General Assembly resolutions 48/210 of 21 December 1993, 49/21 A of 2 December 1994, 50/58 E of 12 December 1995, 51/30 A of 5 December 1996, 52/169 H of 16 December 1997, 54/96 G of 15 December 1999, 55/170 of 14 December 2000 and 56/110 of 14 December 2001,

(*h*) The reports of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of its sessions held in the years 1994 to 2004,[73]

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[64] The draft resolution recommended in the report was sponsored in the Committee by: Belarus, Brazil, Bulgaria, Chile, China, Egypt, Russian Federation, the former Yugoslav Republic of Macedonia, Turkey, Uganda and Ukraine.

[65] A/47/277-S/24111.

[66] A/50/60-S/1995/1.

[67] S/PRST/1995/9; see *Resolutions and Decisions of the Security Council, 1995*.

[68] A/48/573-S/26705.

[69] S/25036; see *Resolutions and Decisions of the Security Council, 1992*.

[70] E/1993/81, E/1994/19, E/1995/21, E/1996/18 and Add.1, E/1997/54 and Corr.1, E/1998/21, E/1999/48, E/2000/53 and E/2001/55.

[71] E/2002/55, E/2003/55 and E/2004/67.

[72] A/49/356, A/50/423, A/51/356, A/52/535, A/54/534, A/55/620 and Corr.1, A/56/632 and A/58/358.

[73] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 33* (A/49/33); ibid., *Fiftieth Session, Supplement No. 33* (A/50/33); ibid., *Fifty-first Session, Supplement No 33* (A/51/33); ibid., *Fifty-second Session, Supplement No. 33* and corrigendum (A/52/33 and Corr.1); ibid., *Fifty-third Session, Supplement No. 33* (A/53/33); ibid., *Fifty-fourth Session, Supplement No. 33* and corrigendum (A/54/33 and Corr.1); ibid., *Fifty-fifth Session, Supplement No. 33* (A/55/33); ibid., *Fifty-sixth Session, Supplement No. 33* (A/56/33); ibid., *Fifty-seventh Session, Supplement No. 33* (A/57/33); ibid., *Fifty-eighth Session, Supplement No. 33* (A/58/33); and ibid., *Fifty-ninth Session, Supplement No. 33* (A/59/33).

(*i*) The reports of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter,[74]

(*j*) The report of the Secretary-General to the Millennium Assembly of the United Nations,[75] in particular section IV.E thereof, entitled "Targeting sanctions",

(*k*) The United Nations Millennium Declaration,[76] in particular paragraph 9 thereof,

(*l*) The report of the Secretary-General entitled "Road map towards implementation of the United Nations Millennium Declaration",[77] in particular paragraphs 56 to 61 thereof,

(*m*) The report of the Committee for Programme and Coordination on the work of its forty-third session, in particular the recommendation that the Chief Executives Board play a role in better coordinating the analysis of the problems of the countries invoking Article 50 of the Charter, and the development of new methodologies to identify the damage to affected States and new mechanisms to determine the appropriate compensation for them,[78]

Taking note of the report of the Secretary-General on the work of the Organization,[79] in particular paragraphs 78 to 81 thereof,

Recalling that the question of assistance to third States affected by the application of sanctions has been addressed recently in several forums, including the General Assembly, the Security Council, the Economic and Social Council and their subsidiary organs,

Recalling also the measures taken by the Security Council, in accordance with the statement by the President of the Security Council of 16 December 1994,[80] that, as part of the effort of the Council to improve the flow of information and the exchange of ideas between members of the Council and other States Members of the United Nations, there should be increased recourse to open meetings, in particular at an early stage in its consideration of a subject,

Recalling further the measures taken by the Security Council in accordance with the note by the President of the Security Council of 29 January 1999[81] aimed at improving the work of the sanctions committees, including increasing the effectiveness and transparency of those committees,

Stressing that, in the formulation of sanctions regimes, due account should be taken of the potential effects of sanctions on third States,

Stressing also, in this context, the powers of the Security Council under Chapter VII of the Charter and the primary responsibility of the Council under Article 24 of the Charter for the maintenance of international peace and security in order to ensure prompt and effective action by the United Nations,

Recalling that, under Article 31 of the Charter, any Member of the United Nations that is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Council whenever the latter considers that the interests of that Member are specially affected,

Recognizing that the imposition of sanctions under Chapter VII of the Charter has been causing special economic problems in third States and that it is necessary to intensify efforts to address those problems effectively,

Taking into consideration the views of third States which could be affected by the imposition of sanctions,

Recognizing that assistance to third States affected by the application of sanctions would further contribute to an effective and comprehensive approach by the international community to sanctions imposed by the Security Council,

Recognizing also that the international community at large and, in particular, international institutions involved in providing economic and financial assistance should continue to take into account and address in a more effective manner the special economic problems of affected third States arising from the carrying out of preventive or enforcement measures taken by the Security Council under Chapter VII of the Charter, in view of their magnitude and of the adverse impact on the economies of those States,

Recalling the provisions of its resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997, 53/107 of 8 December 1998, 54/107 of 9 December 1999, 55/157 of 12 December 2000, 56/87 of 12 December 2001, 57/25 of 19 November 2002 and 58/80 of 9 December 2003,

1. *Renews its invitation* to the Security Council to consider the establishment of further mechanisms or procedures, as appropriate, for consultations as early as possible

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[74] A/50/361, A/51/317, A/52/308, A/53/312, A/54/383 and Add.1, A/55/295 and Add.1, A/56/303, A/57/165 and Add.1, A/58/346 and A/59/334.

[75] A/54/2000.

[76] See resolution 55/2.

[77] A/56/326; see also the report of the Secretary-General on the implementation of the United Nations Millennium Declaration (A/58/323), para. 23.

[78] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 16* (A/58/16), para. 581.

[79] Ibid., *Fifty-ninth Session, Supplement No. 1* (A/59/1).

[80] See S/PRST/1994/81; see *Resolutions and Decisions of the Security Council, 1994*.

[81] S/1999/92; see *Resolutions and Decisions of the Security Council, 1999*.

under Article 50 of the Charter of the United Nations with third States which are or may be confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Council under Chapter VII of the Charter, with regard to a solution of those problems, including appropriate ways and means for increasing the effectiveness of its methods and procedures applied in the consideration of requests by the affected States for assistance;

2. *Welcomes* the measures taken by the Security Council since the adoption of General Assembly resolution 50/51, most recently the note by the President of the Security Council of 18 December 2003,[82] whereby the members of the Security Council agreed to extend the mandate of the informal working group of the Council established in 2000[83] to develop general recommendations on how to improve the effectiveness of United Nations sanctions, looks forward to the adoption of the proposed outcome document of the working group, in particular those provisions thereof regarding the issues of the unintended impact of sanctions and assistance to States in implementing sanctions, and strongly recommends that the Council continue its efforts to enhance further the effectiveness and transparency of the sanctions committees, to streamline their working procedures and to facilitate access to them by representatives of States that find themselves confronted with special economic problems arising from the carrying out of sanctions;

3. *Invites* the Security Council, its sanctions committees and the Secretariat to continue to ensure, as appropriate, that:

(*a*) Both pre-assessment reports and ongoing assessment reports include as part of their analysis the likely and actual unintended impact of the sanctions on third States and recommend ways in which the negative impact of sanctions can be mitigated;

(*b*) Sanctions committees provide opportunities for third States affected by sanctions to brief them on the unintended impact of sanctions they are experiencing and on assistance needed by them to mitigate the negative impact of sanctions;

(*c*) The Secretariat continues to provide, upon request, advice and information to third States to help them to pursue means to mitigate the unintended impact of sanctions, for example, on invoking Article 50 of the Charter for consultation with the Security Council;

(*d*) Where economic sanctions have had severe effects on third States, the Security Council is able to request the Secretary-General to consider appointing a special representative or dispatching, as necessary, fact-finding missions on the ground to undertake necessary assessments and to identify, as appropriate, possible ways of assistance;

(*e*) The Security Council is able, in the context of situations referred to in subparagraph (*d*) above, to consider establishing working groups to consider such situations;

4. *Requests* the Secretary-General to pursue the implementation of General Assembly resolutions 50/51, 51/208, 52/162, 53/107, 54/107, 55/157, 56/87, 57/25 and 58/80 and to ensure that the competent units within the Secretariat develop the adequate capacity and appropriate modalities, technical procedures and guidelines to continue, on a regular basis, to collate and coordinate information about international assistance available to third States affected by the implementation of sanctions, to continue developing a possible methodology for assessing the adverse consequences actually incurred by third States and to explore innovative and practical measures of assistance to the affected third States;

5. *Welcomes* the report of the Secretary-General containing a summary of the deliberations and main findings of the ad hoc expert group meeting on developing a methodology for assessing the consequences incurred by third States as a result of preventive or enforcement measures and on exploring innovative and practical measures of international assistance to the affected third States,[84] and renews its invitation to States and relevant international organizations within and outside the United Nations system that have not yet done so to provide their views regarding the report of the ad hoc expert group meeting;

6. *Takes note* of the most recent report of the Secretary-General on this question[85] and, in particular, of his views on the deliberations and main findings, including the recommendations of the ad hoc expert group on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions, as well as the views of States, the organizations of the United Nations system, international financial institutions and other international organizations, as contained in the previous reports of the Secretary-General;[86]

7. *Reaffirms* the important role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in mobilizing and monitoring, as appropriate, the economic assistance efforts of the international community and the United Nations system on behalf of States confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council and, as appropriate,

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[82] S/2003/1185; see *Resolutions and Decisions of the Security Council, 1 August 2003–31 July 2004.*

[83] S/2000/319.

[84] A/53/312.

[85] A/59/334.

[86] See A/54/383 and Add.1, A/55/295 and Add.1, A/57/165 and Add.1 and A/58/346.

in identifying solutions to the special economic problems of those States;

8. *Takes note* of the decision of the Economic and Social Council, in its resolution 2000/32 of 28 July 2000, to continue its consideration of the question of assistance to third States affected by the application of sanctions, invites the Council, at its organizational session for 2005, to make appropriate arrangements for this purpose within its programme of work for 2005, further invites the Council to continue its consideration of the question of assistance to third States affected by the application of sanctions, and decides to transmit the most recent report of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions, together with the relevant background materials, to the Council at its substantive session of 2005;

9. *Invites* the organizations of the United Nations system, international financial institutions, other international organizations, regional organizations and Member States to address more specifically and directly, where appropriate, the special economic problems of third States affected by sanctions imposed under Chapter VII of the Charter and, for this purpose, to consider improving procedures for consultations to maintain a constructive dialogue with such States, including through regular and frequent meetings, as well as, where appropriate, special meetings between the affected third States and the donor community, with the participation of United Nations agencies and other international organizations;

10. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its session in 2005, to continue to consider on a priority basis and in an appropriate substantive manner and framework the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter based on all of the related reports of the Secretary-General, in particular the 1998 report containing a summary of the deliberations and main findings of the ad hoc expert group meeting convened pursuant to paragraph 4 of General Assembly resolution 52/162,[84] together with the most recent report of the Secretary-General on this question,[85] taking into consideration the forthcoming report of the informal working group of the Security Council on general issues relating to sanctions, the proposals submitted on the question, the debate on the question in the Sixth Committee during the fifty-ninth session of the Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to Assembly resolution 51/242, as well as the implementation of the provisions of Assembly resolutions 50/51, 51/208, 52/162, 53/107, 54/107, 55/157, 56/87, 57/25, 58/80 and the present resolution;

11. *Decides* to consider within the Sixth Committee or a working group of the Committee, at the sixtieth session of the General Assembly, further progress in the elaboration of effective measures aimed at the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter;

12. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixtieth session, under the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

RESOLUTION 59/46

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/514, para. 11)[87]

59/46. Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[88]

Recalling also the United Nations Millennium Declaration,[89]

Recalling further the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60 of 9 December 1994, and welcoming the celebration this year of the tenth anniversary of its adoption, and recalling the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 51/210 of 17 December 1996,

Recalling all General Assembly and Security Council resolutions on measures to eliminate international terrorism,

Convinced of the importance of the consideration of measures to eliminate international terrorism by the General Assembly as the universal organ having competence to do so,

Deeply disturbed by the persistence of terrorist acts, which have been carried out worldwide,

Reaffirming its strong condemnation of the heinous acts of terrorism that have caused enormous loss of human life, destruction and damage, including those which prompted the adoption of General Assembly resolution 56/1 of 12 September

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[87] The draft resolution recommended in the report was introduced by the representative of Canada on behalf of the Bureau.

[88] See resolution 50/6.

[89] See resolution 55/2.

2001, as well as Security Council resolutions 1368 (2001) of 12 September 2001, 1373 (2001) of 28 September 2001 and 1377 (2001) of 12 November 2001, and those that have occurred since the adoption of General Assembly resolution 58/81 of 9 December 2003,

Recalling the strong condemnation of the atrocious and deliberate attack against the headquarters of the United Nations Assistance Mission for Iraq in Baghdad on 19 August 2003 in General Assembly resolution 57/338 of 15 September 2003 and Security Council resolution 1502 (2003) of 26 August 2003,

Affirming that States must ensure that any measure taken to combat terrorism complies with all their obligations under international law and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

Stressing the need to strengthen further international cooperation among States and among international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance with the principles of the Charter, international law and the relevant international conventions,

Noting the role of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism in monitoring the implementation of that resolution, including the taking of the necessary financial, legal and technical measures by States and the ratification or acceptance of the relevant international conventions and protocols,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism, and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

Mindful also of the essential need to strengthen international, regional and subregional cooperation aimed at enhancing the national capacity of States to prevent and suppress effectively international terrorism in all its forms and manifestations,

Reiterating its call upon States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter,

Emphasizing that tolerance and the enhancement of dialogue among civilizations are among the most important elements in promoting cooperation and success in combating terrorism,

Reaffirming that no terrorist act can be justified in any circumstances,

Taking note of the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, adopted in Kuala Lumpur on 25 February 2003,[90] which reiterated the collective position of the Movement of Non-Aligned Countries on terrorism and reaffirmed the previous initiative of the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held in Durban, South Africa, from 29 August to 3 September 1998,[91] calling for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, as well as other relevant initiatives,

Bearing in mind the recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, including those identified in the annex to the present resolution,

Recalling its decision in resolutions 54/110 of 9 December 1999, 55/158 of 12 December 2000, 56/88 of 12 December 2001, 57/27 of 19 November 2002 and 58/81 that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 should address, and keep on its agenda, the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

Aware of its resolutions 57/219 of 18 December 2002 and 58/187 of 22 December 2003,

Noting regional efforts to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, including through the elaboration of and adherence to regional conventions,

Having examined the report of the Secretary-General,[92] the report of the Ad Hoc Committee established by resolution 51/210[93] and the report of the Working Group of the Sixth Committee established pursuant to resolution 58/81,[94]

1. *Strongly condemns* all acts, methods and practices of terrorism in all its forms and manifestations as criminal and unjustifiable, wherever and by whomsoever committed;

2. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of

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[90] A/57/759-S/2003/332, annex I.

[91] See A/53/667-S/1998/1071, annex I, paras. 149–162.

[92] A/59/210 and Corr.1.

[93] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 37* (A/59/37).

[94] A/C.6/59/L.10.

persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

3. *Reiterates its call upon* all States to adopt further measures in accordance with the Charter of the United Nations and the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider in particular the implementation of the measures set out in paragraphs 3 (*a*) to (*f*) of resolution 51/210;

4. *Also reiterates its call upon* all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

5. *Reiterates its call upon* States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

6. *Urges* States to ensure that their nationals or other persons and entities within their territory that wilfully provide or collect funds for the benefit of persons or entities who commit, or attempt to commit, facilitate or participate in the commission of terrorist acts are punished by penalties consistent with the grave nature of such acts;

7. *Reminds* States of their obligations under relevant international conventions and protocols and Security Council resolutions, including Security Council resolution 1373 (2001), to ensure that perpetrators of terrorist acts are brought to justice;

8. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter, international law and relevant international conventions;

9. *Urges* all States that have not yet done so to consider, as a matter of priority, and in accordance with Security Council resolutions 1373 (2001), and 1566 (2004) of 8 October 2004 becoming parties to the relevant conventions and protocols as referred to in paragraph 6 of General Assembly resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings[95] and the International Convention for the Suppression of the Financing of Terrorism,[96] and calls upon all States to enact, as appropriate, the domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts, and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;

10. *Urges* States to cooperate with the Secretary-General and with one another, as well as with interested intergovernmental organizations, with a view to ensuring, where appropriate within existing mandates, that technical and other expert advice is provided to those States requiring and requesting assistance in becoming parties to and implementing the conventions and protocols referred to in paragraph 9 above;

11. *Notes with appreciation and satisfaction* that, consistent with the call contained in paragraph 7 of resolution 58/81, a number of States became parties to the relevant conventions and protocols referred to therein, thereby realizing the objective of wider acceptance and implementation of those conventions;

12. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, and calls upon all States to implement them;

13. *Calls upon* all States to cooperate to prevent and suppress terrorist acts;

14. *Urges* all States and the Secretary-General, in their efforts to prevent international terrorism, to make the best use of the existing institutions of the United Nations;

15. *Welcomes* the continuing efforts of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Vienna, after reviewing existing possibilities within the United Nations system, to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizes, in the context of Security Council resolution 1373 (2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism;

16. *Invites* regional intergovernmental organizations to submit to the Secretary-General information on the measures they have adopted at the regional level to eliminate international terrorism, as well as on intergovernmental meetings held by those organizations;

17. *Notes* the progress attained in the elaboration of the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism during the meetings of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 and the Working Group of the Sixth Committee established pursuant to General Assembly resolution 58/81;

18. *Decides* that the Ad Hoc Committee shall, on an expedited basis, continue to elaborate the draft comprehensive convention on international terrorism and to resolve the

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[95] Resolution 52/164, annex.

[96] Resolution 54/109, annex.

outstanding issues relating to the elaboration of the draft international convention for the suppression of acts of nuclear terrorism as a means of further developing a comprehensive legal framework of conventions dealing with international terrorism, and shall keep on its agenda the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations;

19. *Decides also* that the Ad Hoc Committee shall meet from 28 March to 1 April 2005 in order to fulfil the mandate referred to in paragraph 18 above, and that the work shall continue, if necessary, during the sixtieth session of the General Assembly, within the framework of the Working Group of the Sixth Committee;

20. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

21. *Also requests* the Secretary-General to make a comprehensive inventory of the response of the Secretariat to terrorism as part of his report on measures to eliminate international terrorism;

22. *Requests* the Ad Hoc Committee to report to the General Assembly at its fifty-ninth session in the event of the completion of the draft comprehensive convention on international terrorism or the draft international convention for the suppression of acts of nuclear terrorism;

23. *Also requests* the Ad Hoc Committee to report to the General Assembly at its sixtieth session on progress made in the implementation of its mandate;

24. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Measures to eliminate international terrorism".

Annex

African Union

Second High-Level Intergovernmental Meeting on the Prevention and Combating of Terrorism in Africa, and inauguration of the African Centre for Studies and Research on Terrorism, Algiers, 13 and 14 October 2004

Andean Community

Subregional workshop on the regional fight against terrorism, Lima, 26 and 27 January 2004

Association of Southeast Asian Nations

Fourth ASEAN Ministerial Meeting on Transnational Crime, Bangkok, 8 January 2004

First ASEAN Plus Three Ministerial Meeting on Transnational Crime, Bangkok, 10 January 2004

European Union

European Council meetings with a focus on terrorism, Brussels, 25 and 26 March and 17 and 18 June 2004

Organization of American States

Fourth regular session of the Inter-American Committee against Terrorism, Montevideo, 28-30 January 2004

Shanghai Cooperation Organization

Summit Meeting of the Shanghai Cooperation Organization for the establishment of the Regional Anti-Terrorism Structure, Tashkent, 17 June 2004

South Asian Association for Regional Cooperation

Twelfth SAARC Summit, Islamabad, 4-6 January 2004

Other meetings

Bali Regional Ministerial Meeting on Counter-Terrorism, convened by Indonesia and Australia, Bali, Indonesia, 4 and 5 February 2004

RESOLUTION 59/47

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/515 and Corr.1, para. 10)[illegible]

59/47. Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel

The General Assembly,

Recalling its resolution 58/82 of 9 December 2003 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, as well as the adoption by the Security Council of resolution 1502 (2003) on 26 August 2003,

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[illegible] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Burkina Faso, Canada, Chile, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Estonia, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Monaco, Nauru, Netherlands, New Zealand, Nigeria, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Romania, Samoa, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tuvalu, Uganda, Ukraine and United Kingdom of Great Britain and Northern Ireland.

Recalling also its resolution 57/338 of 15 September 2003, in which it strongly condemned the atrocious and deliberate attack against the headquarters of the United Nations Assistance Mission in Iraq in Baghdad on 19 August 2003,

Recalling further its resolution 49/59 of 9 December 1994, by which it adopted the Convention on the Safety of United Nations and Associated Personnel,

Recalling the letter dated 24 October 2000 addressed to the President of the Security Council on behalf of the global staff of the United Nations system,[98] drawing attention to the safety and security problems faced by United Nations and associated personnel,

Recalling also the report of the Secretary-General[99] on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel and the recommendations contained therein, and also recalling the further report of the Secretary-General[100] on this issue,

Reaffirming the need to promote and ensure respect for the principles and rules of international law, including international humanitarian law, as well as relevant provisions of human rights and refugee law,

Reaffirming also the obligation of all humanitarian personnel and United Nations and associated personnel to respect the national laws of the country in which they are operating, in accordance with international law and the Charter of the United Nations,

Deeply concerned by the increasing dangers and security risks faced by United Nations and associated personnel at the field level, and mindful of the need to provide the fullest possible protection for their security,

Expressing its concern that locally recruited personnel are particularly vulnerable to attacks directed at the United Nations,

Paying tribute to the courage of those who have served and who continue to serve in United Nations operations throughout the world, in particular those who have lost their lives in the course of their duties,

Deeply concerned that perpetrators of attacks against United Nations and associated personnel seemingly operate with impunity,

Welcoming the tenth anniversary of the adoption of the Convention, which entered into force on 15 January 1999, and noting that the Convention has been ratified or acceded to by seventy-seven States as at the date of the present resolution,

Underlining the need to promote the universality of the Convention and thereby strengthen the safety and security of United Nations and associated personnel,

Having considered the report of the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel,[101] established pursuant to resolution 56/89 of 12 December 2001, and the report of the Working Group of the Sixth Committee,[102] and bearing in mind the recommendations of the Working Group contained in paragraphs 7 and 8 of its report,

1. *Expresses its appreciation* for the work done by the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel;

2. *Urges* States to take all necessary measures, in accordance with their international obligations, to prevent crimes against United Nations and associated personnel from occurring;

3. *Also urges* States to ensure that crimes against United Nations and associated personnel do not go unpunished and that the perpetrators of such crimes are brought to justice;

4. *Affirms* the obligation of all States to comply fully with their obligations under the relevant rules and principles of international law in relation to the safety and security of United Nations and associated personnel;

5. *Calls upon* all States to consider becoming parties to and to respect fully their obligations under the relevant international instruments, in particular the Convention on the Safety of United Nations and Associated Personnel;

6. *Recommends* that the Secretary-General continue to seek the inclusion of, and that host countries include, key provisions of the Convention, including those regarding the prevention of attacks against members of an operation, the establishment of such attacks as crimes punishable by law and the prosecution or extradition of offenders, in future as well as, if necessary, in existing status-of-forces, status-of-mission and host country agreements negotiated between the United Nations and those countries, mindful of the importance of the timely conclusion of such agreements;

7. *Recommends also* that, consistent with his existing authority, the Secretary-General advise the Security Council or the General Assembly, as appropriate, where in his assessment circumstances would support a declaration of exceptional risk for the purposes of article 1 (*c*) (ii) of the Convention;

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[98] S/2000/1133, annex.

[99] A/55/637.

[100] A/59/226.

[101] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 52* (A/59/52).

[102] A/C.6/59/WG.2/CRP.1.

8. *Confirms* that, consistent with his existing authority, the Secretary-General, who has knowledge of the facts and easy access to the information, may provide information, upon the request of a State, on matters of fact relevant to the application of the Convention, such as the fact and content of any declaration of exceptional risk by the Security Council or the General Assembly or any agreement concluded between the United Nations and a humanitarian non-governmental organization or agency;

9. *Notes* that the Secretary-General has prepared a standardized provision for incorporation into the agreements concluded between the United Nations and humanitarian non-governmental organizations or agencies for the purposes of clarifying the application of the Convention to persons deployed by those organizations or agencies, and requests the Secretary-General to make available to Member States the names of organizations or agencies that have concluded such agreements;

10. *Urges* the Secretary-General and relevant bodies to continue to take such other practical measures as are within their authority and existing institutional mandates to strengthen protection for United Nations and associated personnel, including locally recruited personnel, who are particularly vulnerable and account for the majority of casualties among United Nations or associated personnel;

11. *Decides* that the Ad Hoc Committee established under resolution 56/89 shall reconvene for one week, from 11 to 15 April 2005, with a mandate to expand the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, including, inter alia, by means of a legal instrument, and that the work shall continue during the sixtieth session of the General Assembly within the framework of a working group of the Sixth Committee;

12. *Requests* the Ad Hoc Committee to submit a report on its work to the General Assembly at the sixtieth session;

13. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the measures taken to implement the present resolution;

14. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel".

RESOLUTION 59/48

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/517, para. 7)[103]

59/48. Observer status for the Shanghai Cooperation Organization in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Shanghai Cooperation Organization,

1. *Decides* to invite the Shanghai Cooperation Organization to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

RESOLUTION 59/49

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/518, para. 8)[104]

59/49. Observer status for the Southern African Development Community in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Southern African Development Community,

1. *Decides* to invite the Southern African Development Community to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

RESOLUTION 59/50

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/519, para. 7)[105]

59/50. Observer status for the Collective Security Treaty Organization in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Collective Security Treaty Organization,

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[103] The draft resolution recommended in the report was sponsored in the Committee by: China, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan and Uzbekistan.

[104] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Botswana, Democratic Republic of the Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Zambia and Zimbabwe.

[105] The draft resolution recommended in the report was sponsored in the Committee by: Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russian Federation and Tajikistan.

1. *Decides* to invite the Collective Security Treaty Organization to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

RESOLUTION 59/51

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/520, para. 7)[106]

59/51. Observer status for the Economic Community of West African States in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Economic Community of West African States,

1. *Decides* to invite the Economic Community of West African States to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

RESOLUTION 59/52

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/521, para. 7)[107]

59/52. Observer status for the Organisation of Eastern Caribbean States in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Organisation of Eastern Caribbean States,

1. *Decides* to invite the Organisation of Eastern Caribbean States to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

RESOLUTION 59/53

Adopted at the 65th plenary meeting, on 2 December 2004, without a vote, on the recommendation of the Committee (A/59/544, para. 7)[108]

59/53. Observer status for the South Asian Association for Regional Cooperation in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the South Asian Association for Regional Cooperation,

1. *Decides* to invite the South Asian Association for Regional Cooperation to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

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[106] The draft resolution recommended in the report was sponsored in the Committee by: Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo and United Kingdom of Great Britain and Northern Ireland.

[107] The draft resolution recommended in the report was sponsored in the Committee by: Antigua and Barbuda, Bahamas, Belize, Costa Rica, Dominica, Grenada, Guyana, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago and United Kingdom of Great Britain and Northern Ireland.

[108] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

Annex I

Allocation of agenda items[a]

Plenary meetings

A. Maintenance of international peace and security

Item

11. Report of the Security Council.

21. The role of diamonds in fuelling conflict.

23. Review of the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space.

24. Prevention of armed conflict.

26. The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development.

27. The situation in Afghanistan and its implications for international peace and security.

28. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

29. Question of Cyprus.

30. Armed aggression against the Democratic Republic of the Congo.

31. Question of the Falkland Islands (Malvinas).

32. Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security.

33. Consequences of the Iraqi occupation of and aggression against Kuwait.

34. Declaration of the Assembly of Heads of State and Government of the Organization of African Unity on the aerial and naval military attack against the Socialist People's Libyan Arab Jamahiriya by the present United States Administration in April 1986.

36. The situation in the Middle East.

37. Question of Palestine.

42. The situation of democracy and human rights in Haiti.

48. Elimination of unilateral extraterritorial coercive economic measures as a means of political and economic compulsion.

161. Andean Zone of Peace.

163. The situation in the occupied territories of Azerbaijan.

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[a] Further to resolution 58/316 of 1 July 2004, agenda items are organized under headings corresponding to the priorities of the Organization, as contained in the medium-term plan for the period 2002–2005.

B. Promotion of sustained economic growth and sustainable development in accordance with the resolutions of the General Assembly and recent United Nations conferences

Item

12. Report of the Economic and Social Council.

35. Culture of peace.

40. Follow-up to the outcome of the special session on children.

41. The role of the United Nations in promoting a new global human order.

43. Follow-up to the outcome of the twenty-sixth special session: implementation of the Declaration of Commitment on HIV/AIDS.

45. Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields.

46. 2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa.

47. Sport for peace and development: International Year of Sport and Physical Education.

94. Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family.

C. Development of Africa

Item

38. New Partnership for Africa's Development: progress in implementation and international support:

    (*a*) New Partnership for Africa's Development: progress in implementation and international support;

    (*b*) Causes of conflict and the promotion of durable peace and sustainable development in Africa.

D. Promotion of human rights

Item

105. Human rights questions:

    (*b*) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms.

E. Effective coordination of humanitarian assistance efforts

Item

39. Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance:

    (*a*) Strengthening of the coordination of emergency humanitarian assistance of the United Nations;

    (*c*) Assistance to the Palestinian people;

    (*d*) Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan.

F. Promotion of justice and international law

Item

13. Report of the International Court of Justice.

49. Oceans and the law of the sea:

    (*a*) Oceans and the law of the sea;

    (*b*) Sustainable fisheries, including through the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments.

50. Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.

51. Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

G. Disarmament

Item

14. Report of the International Atomic Energy Agency.

I. Organizational, administrative and other matters

Item

1. Opening of the session by the President of the General Assembly.

2. Minute of silent prayer or meditation.

3. Credentials of representatives to the fifty-ninth session of the General Assembly:

    (*a*) Appointment of the members of the Credentials Committee;

    (*b*) Report of the Credentials Committee.

4. Election of the President of the General Assembly.

6. Election of the Vice-Presidents of the General Assembly.

7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations.

8. Organization of work, adoption of the agenda and allocation of items: reports of the General Committee.

9. General debate.

10. Report of the Secretary-General on the work of the Organization.

15. Elections to fill vacancies in principal organs:

    (*a*) Election of five non-permanent members of the Security Council;

    (*b*) Election of eighteen members of the Economic and Social Council;

    (*c*) Election of a member of the International Court of Justice.

16. Elections to fill vacancies in subsidiary organs and other elections: election of seven members of the Committee for Programme and Coordination.

17. Appointments to fill vacancies in subsidiary organs and other appointments:

    (*g*) Appointment of members of the Committee on Conferences;

    (*h*) Appointment of members of the Joint Inspection Unit;

(*i*) Appointment of the Under-Secretary-General for Internal Oversight Services;

(*j*) Confirmation of the appointment of the Secretary-General of the United Nations Conference on Trade and Development.

18. Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

19. Admission of new Members to the United Nations.

25. Implementation of the resolutions of the United Nations.

52. Revitalization of the work of the General Assembly.

53. Question of equitable representation on and increase in the membership of the Security Council and related matters.

54. Strengthening of the United Nations system.

55. Follow-up to the outcome of the Millennium Summit.

56. Cooperation between the United Nations and regional and other organizations:

(*a*) Cooperation between the United Nations and the African Union;

(*b*) Cooperation between the United Nations and the Asian-African Legal Consultative Organization;

(*c*) Cooperation between the United Nations and the Association of South-East Asian Nations;

(*d*) Cooperation between the United Nations and the Black Sea Economic Cooperation Organization;

(*e*) Cooperation between the United Nations and the Caribbean Community;

(*f*) Cooperation between the United Nations and the Council of Europe;

(*g*) Cooperation between the United Nations and the Economic Community of Central African States;

(*h*) Cooperation between the United Nations and the Economic Cooperation Organization;

(*i*) Cooperation between the United Nations and the International Organization of la Francophonie;

(*j*) Cooperation between the United Nations and the Inter-Parliamentary Union;

(*k*) Cooperation between the United Nations and the Latin American Economic System;

(*l*) Cooperation between the United Nations and the League of Arab States;

(*m*) Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons;

(*n*) Cooperation between the United Nations and the Organization for Security and Cooperation in Europe;

(*o*) Cooperation between the United Nations and the Organization of American States;

(*p*) Cooperation between the United Nations and the Organization of the Islamic Conference;

(*q*) Cooperation between the United Nations and the Pacific Islands Forum;

(*r*) Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization;

(*s*) Cooperation between the United Nations and the Southern African Development Community;

(*t*) Cooperation between the United Nations and the Community of Portuguese-speaking Countries.

156. Multilingualism.

158. Declaration by the United Nations of 8 and 9 May as days of remembrance and reconciliation.

First Committee

G. Disarmament

Item

57. Reduction of military budgets.

58. Maintenance of international security – good-neighbourliness, stability and development in South-Eastern Europe.

59. Verification in all its aspects, including the role of the United Nations in the field of verification.

60. Developments in the field of information and telecommunications in the context of international security.

61. Role of science and technology in the context of international security and disarmament.

62. Establishment of a nuclear-weapon-free zone in the region of the Middle East.

63. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

64. Prevention of an arms race in outer space.

65. General and complete disarmament:

    (*a*) Notification of nuclear tests;

    (*b*) Further measures in the field of disarmament for the prevention of an arms race on the seabed and the ocean floor and in the subsoil thereof;

    (*c*) Disarmament and non-proliferation education;

    (*d*) Measures to uphold the authority of the 1925 Geneva Protocol;

    (*e*) Relationship between disarmament and development;

    (*f*) Mongolia's international security and nuclear-weapon-free status;

    (*g*) Missiles;

    (*h*) Compliance with arms limitation and disarmament and non-proliferation agreements;

    (*i*) Regional disarmament;

    (*j*) Conventional arms control at the regional and subregional levels;

    (*k*) Improving the effectiveness of the methods of work of the First Committee;

    (*l*) National legislation on transfer of arms, military equipment and dual-use goods and technology;

    (*m*) Confidence-building measures in the regional and subregional context;

    (*n*) Promotion of multilateralism in the area of disarmament and non-proliferation;

    (*o*) Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control;

    (*p*) Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*;

    (*q*) Reducing nuclear danger;

- (*r*) Measures to prevent terrorists from acquiring weapons of mass destruction;
- (*s*) Nuclear-weapon-free southern hemisphere and adjacent areas;
- (*t*) Towards a nuclear-weapon-free world: a new agenda;
- (*u*) Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;
- (*v*) Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction;
- (*w*) Transparency in armaments;
- (*x*) Nuclear disarmament;
- (*y*) Assistance to States for curbing the illicit traffic in small arms and collecting them;
- (*z*) The illicit trade in small arms and light weapons in all its aspects;
- (*aa*) United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament;
- (*bb*) Establishment of a nuclear-weapon-free zone in Central Asia;
- (*cc*) Consolidation of peace through practical disarmament measures;
- (*dd*) Convening of the fourth special session of the General Assembly devoted to disarmament.

66. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly:

- (*a*) United Nations Disarmament Information Programme;
- (*b*) United Nations disarmament fellowship, training and advisory services;
- (*c*) United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean;
- (*d*) United Nations Regional Centre for Peace and Disarmament in Africa;
- (*e*) United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific;
- (*f*) United Nations regional centres for peace and disarmament;
- (*g*) Convention on the Prohibition of the Use of Nuclear Weapons;
- (*h*) Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa.

67. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session:

- (*a*) Advisory Board on Disarmament Matters;
- (*b*) United Nations Institute for Disarmament Research;
- (*c*) Report of the Conference on Disarmament;
- (*d*) Report of the Disarmament Commission.

68. The risk of nuclear proliferation in the Middle East.

69. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

70. Strengthening of security and cooperation in the Mediterranean region.

71. Comprehensive Nuclear-Test-Ban Treaty.

72. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

I. Organizational, administrative and other matters

Item

109. Programme planning (programme 3 of the proposed strategic framework).

5. Election of the officers of the Main Committees.

Special Political and Decolonization Committee (Fourth Committee)

A. Maintenance of international peace and security

Item

20. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

22. Assistance in mine action.

73. Effects of atomic radiation.

74. International cooperation in the peaceful uses of outer space.

75. United Nations Relief and Works Agency for Palestine Refugees in the Near East.

76. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

77. Comprehensive review of the whole question of peacekeeping operations in all their aspects.

78. Questions relating to information.

79. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations.

80. Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories.

81. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations.

82. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories.

I. Organizational, administrative and other matters

Item

109. Programme planning (programme 23 of the proposed strategic framework).

5. Election of the officers of the Main Committees.

Second Committee

A. Maintenance of international peace and security

Item

91. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources.

B. Promotion of sustained economic growth and sustainable development in accordance with the resolutions of the General Assembly and recent United Nations conferences

Item

44. Information and communication technologies for development.

83. Macroeconomic policy questions:

    (*a*) International trade and development;

    (*b*) International financial system and development;

    (*c*) External debt crisis and development;

    (*d*) Commodities.

84. Follow-up to and implementation of the outcome of the International Conference on Financing for Development.

85. Sustainable development:

    (*a*) Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development;

    (*b*) Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;

    (*c*) International Strategy for Disaster Reduction;

    (*d*) Protection of global climate for present and future generations of mankind;

    (*e*) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;

    (*f*) Convention on Biological Diversity;

    (*g*) United Nations Decade of Education for Sustainable Development;

    (*h*) Rendering assistance to the poor mountain countries to overcome obstacles in socio-economic and ecological areas.

86. Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and of the twenty-fifth special session of the General Assembly.

87. Globalization and interdependence:

    (*a*) Globalization and interdependence;

    (*b*) International migration and development;

    (*c*) Preventing and combating corrupt practices and transfer of funds of illicit origin and returning such assets to the countries of origin;

    (*d*) Culture and development;

    (*e*) Integration of the economies in transition into the world economy.

88. Groups of countries in special situations:
    - (*a*) Third United Nations Conference on the Least Developed Countries;
    - (*b*) Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation.

89. Eradication of poverty and other development issues:
    - (*a*) Implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006);
    - (*b*) Women in development;
    - (*c*) Industrial development cooperation.

90. Operational activities for development:
    - (*a*) Operational activities for development of the United Nations system;
    - (*b*) Triennial comprehensive policy review of operational activities for development of the United Nations system.

92. Training and research:
    - (*a*) United Nations Institute for Training and Research;
    - (*b*) United Nations University.

E. Effective coordination of humanitarian assistance efforts

Item

39. Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance:
    - (*b*) Special economic assistance to individual countries or regions.

I. Organizational, administrative and other matters

Item

109. Programme planning (programme 10 of the proposed strategic framework).

5. Election of the officers of the Main Committees.

Third Committee

A. Maintenance of international peace and security

Item

100. Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions.

B. Promotion of sustained economic growth and sustainable development in accordance with the resolutions of the General Assembly and recent United Nations conferences

Item

93. Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly.

94. Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family:
    - *(a)* Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family;
    - *(b)* United Nations Literacy Decade: education for all.

95. Follow-up to the International Year of Older Persons: Second World Assembly on Ageing.

98. Advancement of women.

99. Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

D. Promotion of human rights

Item

101. Promotion and protection of the rights of children.

102. Programme of activities for the International Decade of the World's Indigenous People, 1995–2004.

103. Elimination of racism and racial discrimination:
    - *(a)* Elimination of racism and racial discrimination;
    - *(b)* Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.

104. Right of peoples to self-determination.

105. Human rights questions:
    - *(a)* Implementation of human rights instruments;
    - *(b)* Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;
    - *(c)* Human rights situations and reports of special rapporteurs and representatives;
    - *(d)* Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action;
    - *(e)* Report of the United Nations High Commissioner for Human Rights.

H. Drug control, crime prevention and combating international terrorism in all its forms and manifestations

Item

96. Crime prevention and criminal justice.

97. International drug control.

I. Organizational, administrative and other matters

Item

109. Programme planning (programme 19 of the proposed strategic framework).

5. Election of the officers of the Main Committees.

Fifth Committee

I. Organizational, administrative and other matters

Item

106. Financial reports and audited financial statements, and reports of the Board of Auditors:
    - (*a*) United Nations;
    - (*b*) United Nations Development Programme;
    - (*c*) United Nations Children's Fund;
    - (*d*) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
    - (*e*) United Nations Institute for Training and Research;
    - (*f*) Voluntary funds administered by the United Nations High Commissioner for Refugees;
    - (*g*) Fund of the United Nations Environment Programme;
    - (*h*) United Nations Population Fund;
    - (*i*) United Nations Human Settlements Programme;
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    - (*k*) United Nations Office for Project Services;
    - (*l*) International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991;
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    (*b*) Appointment of members of the Committee on Contributions;

    (*c*) Confirmation of the appointment of members of the Investments Committee;

    (*d*) Appointment of members of the United Nations Administrative Tribunal;

    (*e*) Appointment of members and alternate members of the United Nations Staff Pension Committee;

    (*f*) Appointment of members of the International Civil Service Commission.

5. Election of the officers of the Main Committees.

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F. Promotion of justice and international law

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138. Nationality of natural persons in relation to the succession of States.

139. Responsibility of States for internationally wrongful acts.

140. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts.

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